

Exhibit 3

1 **ORDINANCE NO. 70794**

2 **BOARD BILL NO. 53CS INTRODUCED BY ALDERMAN TERRY KENNEDY**

3 **ALDERWOMAN CHRISTINE INGRASSIA**

4 An Ordinance adopting the 2018 International Building Code with amendments, including
5 Appendices E, F, G, H, I and J; repealing Ordinance 68610, Ordinance 68788, and Ordinance
6 69271; and containing a penalty clause, severability clause, savings clause, and emergency
7 clause.

8 **BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:**

9 **SECTION ONE. REPEAL.** Ordinance 68610, approved March 16, 2010,
10 pertaining to registration of vacant buildings, Ordinance 68788, approved November 8, 2010,
11 which adopted the 2009 International Building Code, and Ordinance 69271, approved
12 November 8, 2012, pertaining to pedestrian access to buildings, are hereby repealed.

13 **SECTION TWO. ADOPTION.** The 2018 International Building Code as
14 published by the International Code Council, Inc., one copy of which is on file in the Office
15 of the Register of the City of Saint Louis, being marked and designated as the International
16 Building Code, including Appendices E, F, G, H, I, and J, is hereby adopted as the Building
17 Code of the City of Saint Louis, in the State of Missouri, pursuant to this Ordinance and in
18 conformity with Section 71.943 RSMo for the control of buildings and structures as herein
19 provided; and that each and all of the regulations, provisions, penalties, conditions, and terms
20 of said Building Code are hereby referred to, adopted, and made a part hereto as if fully set

1 out in this Ordinance with the amendments prescribed in Section Three of this Ordinance. If
2 differences occur between a provision modified by this Ordinance and a provision adopted
3 without modification, then the modified provision shall control.

4 **SECTION THREE. AMENDMENTS.** The 2018 International Building Code
5 is amended and changed in the following respects:

6 **CHAPTER 1 IS AMENDED AS FOLLOWS:**

7 Delete Chapter 1 as published in its entirety.

8 Add a new Chapter 1 to read as follows:

9 **CHAPTER 1**
10 **SCOPE AND ADMINISTRATION**

11 **SECTION 101**

12 **GENERAL**

13 **101.1 Title.** These regulations shall be known as the Building Code of the City of Saint
14 Louis, hereinafter referred to herein as “this code.”

15 **101.2 Scope.** The provisions of this code shall apply to the grading, excavation, new
16 construction, alteration, movement, enlargement, replacement, repair, equipment, use and
17 occupancy, location, removal, and demolition of all buildings, structures, and premises in the
18 City of Saint Louis except as such matters are otherwise provided for in the Charter of the

1 City of Saint Louis or other ordinances, statutes, or in the rules and regulations authorized for
2 promulgation under the provisions of this code.

3 **Exceptions:**

- 4 1. Live/work units complying with the requirements of Section 419 shall be
5 permitted to be built in accordance with the Residential Code for One- and Two-
6 family Dwellings. Fire suppression required by Section 419.5 when constructed
7 under the Residential Code for One- and Two-Family Dwellings shall conform to
8 Section 903.3.1.3.
- 9 2. Owner-occupied lodging houses with five or fewer guest rooms shall be
10 permitted to be constructed in accordance with the Residential Code for One- and
11 Two-family Dwellings where equipped with a fire sprinkler system in accordance
12 with Section 903.3.1.3.
- 13 3. Existing buildings undergoing repair, alteration or additions, and change of
14 occupancy shall be permitted to comply with the Existing Building Code.
- 15 4. Detached one- and two-family dwellings and townhouses with a separate means
16 of egress and their accessory structures not more than three stories above grade
17 plane in height shall be permitted to comply with the Residential Code for One-
18 and Two-family Dwellings.

19 **101.3 Intent.** The purpose of this code is to establish the minimum requirements to
20 safeguard the public health, safety, and general welfare through structural strength, means of
21 egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and
22 safety to life and property from fire and other hazards attributed to the built environment and

1 to provide a reasonable level of safety to fire fighters and emergency responders during
2 emergency operations.

3 **SECTION 102**

4 **APPLICABILITY**

5 **102.1 General.** Where there is a conflict between a general requirement and a specific
6 requirement, the specific requirement shall be applicable. Where, in any specific case,
7 different sections of this code specify different materials, methods of construction, or other
8 requirements, the most restrictive shall govern.

9 **102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions
10 of local, state, or federal law. Where the provisions of this code conflict with other
11 ordinances or regulations, the most stringent requirements shall apply. The building official
12 shall not be the enforcement officer for such other ordinances or regulations unless specified
13 therein.

14 **102.3 Application of references.** References to chapter or section numbers, or to provisions
15 not specifically identified by number, shall be construed to refer to such chapter, section, or
16 provision of this code.

17 **102.4 Referenced codes and standards.** The codes and standards referenced in this code
18 shall be considered part of the requirements of this code to the prescribed extent of each such
19 reference and as further regulated in Sections 102.4.1 and 102.4.2. Referenced standards

1 shall be permitted to be updated by rule making authority of the building official.

2 **Exception:** Where enforcement of a code provision would violate the conditions of the
3 listing of the equipment or appliance, the conditions of the listing and manufacturer's
4 instructions shall apply.

5 **102.4.1 Conflicts.** Where conflicts occur between provisions of this code and referenced
6 codes and standards, the provisions of this code shall apply.

7 **102.4.2 Provisions in referenced codes and standards.** Where the extent of the
8 reference to a referenced code or standard includes subject matter that is within the scope
9 of this code, the provisions of this code, as applicable, shall take precedence over the
10 provisions in the referenced code or standard.

11 **102.5 Appendices.** Provisions of the appendices shall not apply unless specifically
12 referenced in the adopting ordinance.

13 **102.6 Partial invalidity.** In the event any part or provision of this code is held to be illegal
14 or void, this shall not have the effect of making void or illegal any of the other parts or
15 provisions.

16 **102.7 Existing structures.** The legal occupancy of any structure existing on the date of the
17 adoption of this code shall be permitted to continue without change, except as is specifically
18 covered in this code, the Existing Building Code, the Property Maintenance Code, or the Fire
19 Code, or as deemed necessary by the building official for the general safety and welfare of
20 the occupants and the public.

1 **102.7.1 Additions, alterations, or repairs.** Additions, alterations, or repairs to any
2 structure shall conform to that required for a new structure without requiring the existing
3 structure to comply with all of the requirements of this code, unless otherwise stated.
4 Additions, alterations, repairs, and relocations shall not cause an existing structure to
5 become unsafe or adversely affect the performance of the building.

6 **102.7.2 Buildings not previously occupied.** A building or portion of a building that has
7 not been previously occupied or used for its intended purpose in accordance with the
8 laws in existence at the time of its completion shall comply with the provisions of the
9 this code for new construction or with any current permit for such occupancy.

10 **102.8 Matters not provided for.** Any requirements that are essential for structural, fire, or
11 sanitary safety of an existing or proposed building or structure, or for the safety of the
12 occupants thereof, and which are not specifically provided for by this code, shall be
13 determined by the building official.

14 The building official shall be permitted to delegate to the Department of the President,
15 Board of Public Service, responsibility for code compliance inspections on projects within
16 the City limits let by the Board of Public Service or let as an Emergency Agreement. If such
17 delegation is made, that office shall certify in writing to he building official at the completion
18 of the project that they did inspect and believe the project to comply with this code.

19 **102.9 Buildings, structures, or premises partly within city limits.** When a building,
20 structure, or premises is constructed partly within the City and partly within County Limits,
21 the Building Commissioner shall be authorized to enter into agreements with the adjoining

code jurisdictions to avoid duplications of inspections, fees, and permits.

102.10 Restrictions. No building or structure shall be constructed, extended, repaired, removed, altered or occupied in violation of these provisions, except for repairs as defined in Section 105.2.2, and except further that the raising, lowering or moving of a building or structure as a unit necessitated by a change in legal grade or widening of a street shall be permitted, provided the building or structure is not otherwise altered or its occupancy changed. Political subdivisions of the State of Missouri, including but not limited to, the Board of Education, Metropolitan Sewer District, Saint Louis Housing Authority, Saint Louis Police Department, Metro Transit, Planned Industrial Expansion Authority, Land Clearance for Redevelopment Authority, Land Reutilization Authority, Saint Louis Development Corporation, and the Regional Convention and Sports Complex Authority are covered under the provisions of this code for all property within the city limits.

Exceptions:

1. Structures owned and occupied by the United States of America or the State of Missouri.
2. City of Saint Louis owned property located outside of the City Limits.
3. Existing building occupancies that are licensed by the State of Missouri as family child care homes providing home day care, as specified in Section 310.3.
4. Structures located within cemetery boundaries which are less than 1,000 square feet in area and less than 20 feet in height, measured from grade to the highest point.
5. Laying or relaying of railroad trackage sidings and their appurtenant signals,

1 culverts and structures.

2 6. A construction project located in the public right-of-way (R.O.W.).

3 **SECTION 103**

4 **DIVISION OF BUILDING AND INSPECTION**

5 **103.1 Creation of enforcement agency.** There is hereby created the Division of Building
6 and Inspection. The Division shall consist of Sections including, but not limited to:
7 Administration Section, Building Inspection Section, Central File Section, Court Section,
8 Electrical Inspection Section, Mechanical Inspection Section, Permit Section, Plan Exam
9 Section, Plumbing Inspection Section, and Zoning Section.

10 **103.2 Building Commissioner.** The head of the Division of Building and Inspection shall
11 be known as the Building Commissioner, in accordance with Section 15, Article 13 of the
12 Charter of the City of Saint Louis.

13 **103.2.1 Appointment; qualifications.** The Building Commissioner, also herein referred
14 to as the building official, shall be a Missouri licensed professional architect, or, a
15 Missouri licensed professional engineer, or, shall have a bachelors degree in an
16 appropriately related field with Certified Building Code Official status, or, shall have a
17 masters degree in an appropriately related field and five years experience in building
18 code enforcement at a senior management level. The Building Commissioner shall be
19 appointed by the Director of Public Safety.

1 **103.3 Organization.** The building official shall appoint such numbers of architects,
2 engineers, technical assistants, inspectors and other employees such as clerks, typists, and
3 cashiers as shall be necessary for the administration of the codes governed by this ordinance,
4 and as authorized by the building official in conformance with Civil Service qualifications
5 and regulations. The building official shall be permitted to delegate appropriate subordinates
6 to act in the exercise of the duties of this code, and they also shall be designated as building
7 officials. The building official is authorized to designate employees as needed who shall
8 exercise all the powers of the building official during the temporary absence or disability of
9 the building official.

10 **103.4 Restriction of employees.** An official or employee connected with the Division of
11 Building and Inspection, except one whose only connection is that of a member of the Board
12 of Building Appeals, shall not be engaged in or directly or indirectly connected with the
13 furnishing of labor, materials, or appliances for the construction, alteration, or maintenance
14 of a building, or the preparation of construction documents therefor, unless that person is the
15 owner of the building, or a first degree relative of the owner of the building; nor shall such
16 officer or employee engage in any work which conflicts with official duties or with the
17 interests of the Division of Building and Inspection.

18 Further, no Building Division employee shall be employed by or serve as an employee of
19 any other division within the city service unless a formal request is made by the Building
20 Commissioner to and approved by the appointing authority of that division.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

SECTION 104

DUTIES AND POWERS OF THE BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.1.1 Rule making authority. The Building Commissioner shall have authority as necessary in the interest of public health, safety, and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this code, to secure the intent thereof, and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or violating accepted engineering practice involving public safety.

104.1.2 Accepted engineering practice. In the absence of provisions not specifically contained in this code, the regulations, specifications, and standards listed under Referenced Standards shall be deemed to represent accepted engineering practice in respect to materials, equipment, systems, or methods of construction.

104.2 Applications and permits. The building official shall receive applications; review

1 construction documents; issue or deny permits for the erection, alteration, demolition,
2 moving, or occupancy of buildings, structures, or premises; inspect the premises for which
3 such permits have been issued; and enforce compliance with the provisions of this code.

4 **104.2.1 Preliminary meeting.** When requested by the permit applicant, the building
5 official shall meet with the permit applicant to discuss plans for the proposed work or
6 change of occupancy prior to the application for a permit in order to establish the specific
7 applicability of the provisions of this code.

8 **104.2.1.1 Building evaluation.** The building official is authorized to require an
9 existing building to be investigated and evaluated by a licensed design professional
10 based on the circumstances agreed upon at the preliminary meeting. The design
11 professional shall notify the building official if any potential nonconformance with
12 the provisions of this code is identified.

13 **104.3 Notices and orders.** The building official shall issue all necessary notices or orders to
14 ensure compliance with this code.

15 **104.4 Inspections.** The building official is authorized to make all of the required
16 inspections, or the building official shall have the authority to accept reports of inspection by
17 approved agencies or individuals. Reports of such inspections shall be in writing and
18 certified by a responsible officer of such approved agency or by the responsible individual.
19 The building official is authorized to engage such expert opinion as deemed necessary to
20 report upon unusual technical issues that arise, subject to the approval of the appointing

1 authority. The owner shall provide such special inspections as are required by the building
2 official.

3 **104.5 Identification.** The building official shall carry proper identification when inspecting
4 structures, or premises in the performance of duties under this code.

5 **104.6 Right of entry.** Where it is necessary to make an inspection to enforce the provisions
6 of this code or where the building official has reasonable cause to believe that there exists in
7 a structure or upon a premises a condition which is contrary to or in violation of this code
8 which makes the structure or premises unsafe, dangerous, or hazardous, the building official
9 or designee is authorized to enter the structure or premises at reasonable times to inspect or
10 perform the duties imposed by this code, provided that if such structure be occupied that
11 credentials be presented to the occupant and entry requested. If such structure or premises be
12 unoccupied, the building official shall first make a reasonable effort to locate the owner,
13 owner's authorized agent, or other person having charge or control of the structure or
14 premises and request entry. If entry is refused, the building official shall have recourse to the
15 remedies provided by law to secure entry.

16 **104.6.1 Disasters.** In the event of a disaster such as windstorm, tornado, flood, fire,
17 earthquake, bomb blast, or explosion, the building official is hereby authorized to enter
18 and inspect structures within the affected area, subject to constitutional restrictions on
19 unreasonable searches and seizures. When, in the opinion of the building official, there
20 is imminent danger of an unsafe condition, the building official shall take emergency
21 measures in accordance with this code. If the building official determines, after

1 inspection, that a structure is unfit, the building official shall declare it a public nuisance,
2 cause a report to be prepared, and notify the affected parties in accordance with this code.

3 **104.6.1.1 Post-disaster inspections.** The building official is authorized to deputize
4 Missouri Structural Assessment and Visual Evaluation (SAVE) Volunteer Inspectors
5 certified by the Missouri State Emergency Management Agency (SEMA) to conduct
6 emergency post-disaster safety evaluations of buildings.

7 **104.7 Department Records.** An official record shall be kept of all business and activities of
8 the department specified in the provisions of this code, and all such records shall be open to
9 public inspection at all appropriate times.

10 A reasonable charge shall be established for making copies of documents. If staff time is
11 required to assemble requested data, an estimate shall be made of personnel charges,
12 including fringe benefits, and a signed agreement made prior to undertaking such projects.
13 The Division of Building and Inspection is not obligated to assemble data into formats that it
14 does not use or need in the ordinary prosecution of its work.

15 Further, whenever any person, firm, or corporation requests a comprehensive historical
16 investigation of the Division of Building and Inspection records relating to building or
17 occupancy permits, an application fee of \$25 shall be charged as specified in Section 108.2.1
18 in addition to all other fees as provided in other sections of this code.

19 **104.8 Liability.** The building official, member of the Board of Building Appeals, or
20 employee charged with the enforcement of this code, while acting for the City of Saint Louis
21 in good faith and without malice in the discharge of the duties required by this code or other

1 pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable
2 personally and is hereby relieved from personal liability for any damage accruing to persons
3 or property as a result of any act or by reason of an act or omission in the discharge of official
4 duties.

5 **104.8.1 Legal defense.** Any suit or criminal complaint instituted against an officer or
6 employee because of an act performed by that officer or employee in the lawful discharge
7 of duties and under the provisions of this code shall be defended by the City of Saint
8 Louis City Counselor's Office until the final termination of the proceedings. The
9 building official or any subordinates shall not be liable for cost or judgment in any action,
10 suit or proceeding that is instituted in pursuance of the provisions of this code; and any
11 employee of the Division of Building and Inspection, acting in good faith and without
12 malice, shall be free from liability for acts performed under any of its provisions or by
13 reason of any act or omission in the performance of official duties in connection
14 therewith.

15 The above protection shall also extend to former employees for work performed during
16 their period of employment with the City of Saint Louis.

17 **104.9 Approved materials and equipment.** Materials, equipment, and devices approved by
18 the building official shall be constructed and installed in accordance with such approval.

19 **104.9.1 Used materials and equipment.** The use of used materials which meet the
20 requirements of this code for new materials is permitted. Used equipment and devices

1 shall not be reused unless they have been reconditioned, tested, and placed in good and
2 proper working condition and approved by the building official.

3 **104.10 Modifications.** Wherever there are practical difficulties involved in carrying out
4 provisions of this code, the building official shall have the authority to grant modifications
5 for individual cases, upon application of the owner or owner's representative, provided the
6 building official shall first find that special individual reason makes the strict letter of this
7 code impractical and the modification is in compliance with the intent and purpose of this
8 code and that such modification does not lessen health, life, and fire safety or structural
9 requirements. The details of action granting modifications shall be recorded and entered in
10 the files of the Division of Building and Inspection.

11 **104.10.1 Flood hazard areas.** The building official shall not grant modifications to any
12 provisions required in flood hazard areas unless a determination has been made that:

- 13 1. There is good and sufficient cause showing that the unique characteristics of the
14 size, configurations, or topography of the site render the elevation standards of
15 this code inappropriate.
- 16 2. Failure to grant the modification would result in exceptional hardship by
17 rendering the lot undevelopable.
- 18 3. The granting of modification will not result in increased flood heights, additional
19 threats to public safety, or extraordinary public expense; cause fraud on or
20 victimization of the public; or conflict with existing laws or ordinances.
- 21 4. The modification is the minimum necessary to afford relief considering the flood

1 hazard.

2 5. Written notice has been submitted to the applicant specifying the difference
3 between the design flood elevation and the elevation to which the building is to
4 be built, stating that the cost of flood insurance will be commensurate with the
5 increased risk resulting from the reduced floor elevation, and stating that
6 construction below the design flood elevation increases risks to life and property.

7 **104.11 Alternative materials, design, and methods of construction, and equipment.** The
8 provisions of this code are not intended to prevent the installation of any material or to
9 prohibit any design or method of construction not specifically prescribed by this code,
10 provided any such alternative has been approved. An alternative material, design or method
11 of construction shall be approved where the building official finds that the proposed design is
12 satisfactory and complies with the intent of the provisions of this code, and that the material,
13 method, or work offered is, for the purpose intended, at least the equivalent of that prescribed
14 in this code in quality, strength, effectiveness, fire resistance, durability, and safety.

15 **104.11.1 Research reports.** Supporting data, where necessary to assist in the approval
16 of materials or assemblies not specifically provided for in this code, shall consist of valid
17 research reports from approved sources.

18 **104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the
19 provisions of this code, or evidence that a material or method does not conform to the
20 requirements of this code, or in order to substantiate claims for alternative materials or
21 methods, the building official shall have the authority to require tests as evidence of

1 compliance to be made at no expense to the jurisdiction. Test methods shall be as
2 specified in this code or by other recognized test standards. In the absence of recognized
3 and accepted test methods, the building official shall approve the testing procedures.
4 Tests shall be performed by an approved agency. Reports of such tests shall be retained
5 by the building official for the period required for the retention of public records.

6 **104.11.3 Research and investigations.** The building official shall require that sufficient
7 technical data be submitted to substantiate the proposed use of any material or assembly,
8 and if it is determined that the evidence submitted is satisfactory proof of performance
9 for the use intended, the building official shall approve its use subject to the requirements
10 of this code. The costs of all tests, reports and investigations required under these
11 provisions shall be paid by the applicant or owner.

12 **104.12 Annual report.** The Building Commissioner shall submit to the Director of Public
13 Safety a written annual report.

14 **SECTION 105**

15 **PERMITS**

16 **105.1 Required.** Any owner or owner's authorized agent who intends to perform site
17 grading or excavation; to construct, enlarge, alter, make non-ordinary repairs to, move, or
18 demolish a building or structure; to change the occupancy of a building, structure, or
19 premises from one use group to another or to change to a prohibited use; or to cause any such
20 work to be done; or to use explosives for blasting in connection with demolition, excavation,

1 construction, or other building operation shall first make application to the building official
2 and obtain the required permits.

3 **Exception:** No permit shall be issued to repair any building or structure condemned in
4 accordance with Section 119 or 120 if such building or structure is included in an
5 executed contract for demolition between the City of Saint Louis and a demolition
6 contractor.

7 **105.1.1 Preservation Board permit requirements.** When the ordinances of the
8 Cultural Resources Office (CRO) of the Planning and Urban Design Agency (PUDA)
9 require a permit for items for which this code does not require a permit, applications shall
10 be permitted to be taken by the Division of Building and Inspection and processed solely
11 to the Cultural Resources Office. Both the Building Commissioner and the Cultural
12 Resources Office Director are authorized to place stop work orders. Any appeals or court
13 actions resulting from such citations, applications, or permits shall have technical and
14 aesthetic testimony from the Preservation Board and the staff of the Cultural Resources
15 Office.

16 **105.1.2 Cultural Resources Office denial.** Unless overruled by the Building
17 Commissioner as a result of an emergency situation or the Planning and Urban Design
18 Commission, a denial from the Preservation Board shall be the final denial; no further
19 notice from the building official shall be required to any person.

20
21 **105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall

- 1 not be deemed to grant authorization for any work to be done in any manner in violation of
- 2 the provisions of this code or any other laws or ordinances of the City of Saint Louis.
- 3 Permits shall not be required for the following:
- 4 1. Tuckpointing, ordinary or minor repair to exterior masonry, exterior painting, or
 - 5 similar repair or finish work;
 - 6 2. Repair or replacement of existing gutters or above-grade portions of downspouts;
 - 7 3. Recovering or replacing roof covering with the same type of roof covering to a
 - 8 maximum of two layers of roofing. Roofs having a pitch of ¼:12 or greater but less
 - 9 than 4:12 (low slope roof) shall provide positive drainage. Replacement of 25% or
 - 10 less of roof sheathing;
 - 11 4. Resealing or restriping of an existing paved parking parking lot, provided the
 - 12 restriping done matches the existing configuration and the number of spaces remain
 - 13 the same. A permit is required to re-stripe a parking lot for a new parking space and
 - 14 drive arrangement or configuration;
 - 15 5. Miscellaneous site work, landscaping, gardens, shrubbery, or planting boxes;
 - 16 excavation or fill that does not create a permanent change in property elevation of
 - 17 more than six inches along property lines, block drainage, or create erosion or
 - 18 damage to adjacent properties;
 - 19 6. Replacement of existing fencing of the same height, material, and location except
 - 20 when enclosing swimming pools, hot tubs, or spas;
 - 21 7. Retaining walls eighteen inches or less in height above lowest adjacent grade;
 - 22 8. Tents smaller than 1,000 square feet, or those used for private family events on the

- 1 same lot as the owner's residence;
- 2 9. Statues on private property, erected on grade, not attached to or part of a building or
- 3 structure;
- 4 10. Relining, repairing, patching or shotcreting existing swimming pool walls or floors
- 5 provided required minimum water depths under diving boards, if present, are
- 6 maintained;
- 7 11. Ordinary or minor repairs to exterior cantilevered balconies, decks, stairs, and fire
- 8 escapes such as patching or replacing small areas of treads, risers, and platform
- 9 surfaces; repairing or replacing components such as handrails, tread and riser,
- 10 guardrail balusters, etc. on existing balconies, stairs and decks with like-for-like
- 11 materials as long as it does not affect the structural components of the exterior
- 12 cantilevered balconies, decks, stairs, or fire escapes;
- 13 12. Interior painting, floor sanding and refinishing, floor tile or carpeting, replacement of
- 14 flooring with like material, application of wallpaper and other wall covering material,
- 15 moveable cases, counters and partitions, and cabinet installation, counter tops, and
- 16 similar finish work;
- 17 13. Plaster patching or gypsum board replacement not exceeding 25% of the total wall or
- 18 ceiling area of a room or space provided the fire rating and moisture resistance is
- 19 maintained and no modifications are made;
- 20 14. Wall paneling of any type when applied directly to existing room wall surfaces;
- 21 15. Installing or replacing ceiling tile of any type, other than foam plastic, when applied
- 22 directly to existing ceiling surfaces, except when within assembly rooms with more

1 than 300 occupants, institutional rooms or spaces, and corridors or exit stairways of
2 any use. Replacing damaged lay-in ceiling panels with like materials up to 25% of a
3 room or space and a maximum of 500 square feet;

4 16. Nonfixed or moveable fixtures, cases, racks, counters and partitions not over 5 feet
5 nine inches in height;

6 17. Foundation and floor slab repair such as patching/filling of cracks of up to ¼ inch in
7 walls and ⅜ inch in slabs, waterproofing, etc., provided the building is otherwise
8 structurally sound and plumb.

9 Additionally, for 1- and 2- family dwellings and multiple family properties with no more
10 than four units, permits shall not be required for the following:

11 18. Swings and other backyard playground equipment including basketball goals and
12 standards;

13 19. New aluminum, steel, fiber cement, hardboard, or vinyl exterior siding with no
14 change to existing openings. Replacement of 25% or less of the wall sheathing;

15 20. Application of pre-finished aluminum, steel, vinyl, or like materials on soffits, fascia
16 boards, rake boards, or overhangs;

17 21. Replacement or repair of exterior or interior doors or frames, provided the fire rating,
18 when applicable, is maintained, and no modification is made to the opening;

19 22. Replacement or repair of existing windows and frames, whenever no modification is
20 made to the opening; installation of storm windows and doors, whenever no
21 modification is made to the opening; glazing and glass replacement;

22 23. Awnings which do not project over property lines, and not over 40 square feet in

- 1 projected area;
- 2 24. Exterior ramps, stairs, or steps which are on grade and not more than twelve inches
- 3 above adjacent grade, not attached to the structure, and within property lines;
- 4 25. Sidewalks and driveways within property lines; paved areas on the same lot as the
- 5 primary structure, without roofs, covers, or enclosures; concrete patio slabs or
- 6 wooden patios/decks which rest directly on the ground or a rock base, provided that
- 7 they are not covered by a roof or canopy, not supported by any type of permanent
- 8 foundation, and a maximum of twelve inches above adjacent grade;
- 9 26. Small detached accessory buildings, such as utility/storage/tool sheds, cabanas, play
- 10 houses, etc., 120 square feet in area or less and less than twelve feet in height,
- 11 provided the utility shed is placed on and anchored to a minimum four inch thick
- 12 concrete slab and maintains the setbacks required by the Zoning Ordinance. This
- 13 does not include accessory buildings having unique uses such as barbeque or smoke
- 14 houses, storage of fuel or other hazardous material, structures containing fuel fired
- 15 equipment, and other uses that present an increased fire hazard or nuisance to
- 16 adjoining property. A permit is required for all buildings housing these types of uses
- 17 exceeding 50 square feet in area;
- 18 27. Residential accessory structures such as arbors, garden trellises, or other minor
- 19 structures, provided such structures maintain the setbacks required by the Zoning
- 20 Ordinance;
- 21 28. Non-dish radio or television antennae twelve feet or less in height, mounted on the
- 22 ground, not in the front yard area, attached to, or on the roof of a building. Dish

1 antennas two feet in diameter or less installed on grade or on the roof, provided such
2 antennae maintain the setbacks required by the Zoning Ordinance;

3 29. Above-ground swimming pools, or hot tubs or spas placed on a slab. Also, in-ground
4 swimming pools with less than 24 inches water depth with a surface area of less than
5 250 square feet. All pools, hot tubs, and spas shall maintain the setbacks required by
6 the Zoning Ordinance;

7 30. Installation of battery-operated smoke detectors.

8 **Exceptions:**

- 9 1. Work involving repair of flood, earthquake, or other natural disaster damage.
10 2. A Flood Plain Development Permit is still required to be obtained if the site is
11 located in the flood plain areas defined by FEMA.
12 3. Ordinary repairs or minor work to buildings and structures which fall under the
13 purview of the Cultural Resource Office requiring "Cultural Resource Office
14 Only" permits.

15 **105.2.1 Emergency repairs.** Where equipment replacements and repairs must be
16 performed in an emergency situation, the permit application shall be submitted within the
17 next working business day to the building official.

18 **105.2.2 Repairs.** Application or notice to the building official is not required for
19 ordinary repairs to structures, replacement of lamps, or the connection of approved
20 portable electrical equipment to approved permanently installed receptacles. Such
21 repairs shall not include the cutting away of any wall, partition, or portion thereof; the

1 removal or cutting of any structural beam or load bearing support; or the removal or
2 change of any required means of egress or rearrangement of parts of a structure affecting
3 the egress requirements. Ordinary repairs also shall not include addition to or alteration,
4 replacement, or relocation of any water supply, sewer, drainage, drain leader, gas, soil,
5 waste, vent, or similar piping; electric wiring; or mechanical or other work affecting
6 public health or general safety.

7 **105.2.3 Public service agencies.** A permit shall not be required for the installation,
8 alteration, or repair of generation, transmission, distribution, metering, or other related
9 equipment that is under the ownership and control of public service agencies by
10 established right.

11 **105.2.4 Damaged building repair.** Buildings that are determined by the building
12 official to have sustained light building damage due to fire, earthquake, wind, flood, or
13 other natural disasters shall require a building permit for repairs. The building permit
14 application will include construction drawings showing the scope of work and a report
15 prepared, sealed, signed, and dated by a Missouri licensed design professional stating that
16 the building damage is light with no structural damage. Construction drawings may be
17 prepared by a person who is not a Missouri licensed design professional.

18 Buildings that are determined by the building official to have sustained moderate or
19 serious building damage or structural damage due to fire, earthquake, wind, flood, or
20 other natural disasters shall require a building permit for repairs. The building permit
21 application will include construction documents prepared, sealed, signed, and dated by a

1 Missouri licensed design professional.

2 **105.2.4.1 Condemned for occupancy or condemned for demolition building**
3 **repair.** Repairs to buildings that are determined by the building official to be
4 condemned for occupancy or condemned for demolition shall require a building
5 permit with construction documents prepared, sealed, and signed by a Missouri
6 licensed design professional.

7 **105.2.5 Maintenance.** All buildings, structures, and premises and all parts thereof, both
8 existing and new, shall be maintained in a safe and sanitary condition. All service
9 equipment, means of egress, devices, and safeguards required by this code or a previous
10 code or ordinance at the time a building or structure was erected, altered, or repaired shall
11 be maintained in good working order.

12 **105.2.6 Owner responsibility.** The owner(s) or the owner's agent shall be responsible
13 for the safe and sanitary maintenance of the building, structure or premises and its means
14 of egress facilities at all times.

15 **105.3 By whom application is made.** Application for a permit shall be made by the owner
16 or lessee of the building or structure, or agent of either, or by the Missouri licensed design
17 professional employed in connection with the proposed work. The full names, addresses,
18 and telephone numbers of the owner, lessee, and applicant shall be stated in the application.
19 Every application shall have a local contact person listed. Demolition and occupancy permit
20 applications, when applied for by anyone other than the owner of record, shall be

1 accompanied by a notarized letter of authorization or other documentation from the owner of
2 record granting permission to apply.

3 **105.3.1 Application for permit.** To obtain a permit, the applicant shall first file an
4 application on a form furnished by the Division of Building and Inspection for that
5 purpose. Such application shall:

- 6 1. Identify and describe the work to be covered by the permit for which application
7 is made.
- 8 2. Describe the land on which the proposed work is to be done by legal description,
9 street address, or similar description that will readily identify and definitely locate
10 the proposed building or work.
- 11 3. Indicate the use and occupancy for which the proposed work is intended.
- 12 4. Be accompanied by construction documents and other information as required in
13 Section 107.
- 14 5. State the estimated cost of construction of the proposed work.
- 15 6. Be signed by the applicant, or the applicant's authorized agent.
- 16 7. Give such other data and information as required by the building official.

17 **105.3.2 Action on application.** The building official shall examine or cause to be
18 examined applications for permits and amendments thereto. If the application or the
19 construction documents do not conform to the requirements of all pertinent laws, the
20 building official shall reject such application in writing, stating the reasons therefor. If
21 the building official is satisfied that the proposed work conforms to the requirements of

1 this code and laws and ordinances applicable thereto, the building official shall issue a
2 permit. The building official shall rely upon other City agencies to review for
3 compliance with their ordinance requirements.

4 **105.3.2.1 Determination of substantially improved or substantially damaged**
5 **existing buildings in flood hazard areas.** For applications for reconstruction,
6 rehabilitation, addition, alteration, repair, or other improvement of existing buildings
7 or structures located in a flood hazard area, the building official shall examine the
8 construction documents and shall make a determination of the value of the proposed
9 work. For buildings that have sustained damage of any origin, the value of the
10 proposed work shall include the cost to repair the building or structure to its pre-
11 damage condition. If the building official finds that the value of the proposed work is
12 50% or more of the market value of the building or structure before the damage has
13 occurred or the improvement is started, the proposed work shall be considered a
14 substantial improvement or restoration of substantial damage and the building official
15 shall require existing portions of the entire building or structure to meet the
16 requirements of this code.

17 Where the building or structure has sustained substantial damage, repairs
18 necessary to restore the building or structure to its pre-damaged condition shall be
19 considered substantial improvements regardless of the actual repair work performed.

20 The term shall not include either of the following:

- 21 1. Improvements to a building or structure that are required to correct existing
22 health, sanitary, or safety code violations identified by the building official

- 1 and that are the minimum necessary to ensure safe living conditions.
- 2 2. Any alteration of a historic building or structure provided that the alteration
- 3 will not preclude the continued designation as a historic building or structure.
- 4 A. Listed or preliminarily determined to be eligible for listing in the National
- 5 Register of Historic Places; or
- 6 B. Determined by the Secretary of the U.S. Department of Interiors as
- 7 contributing to the historical significance of a registered historic district
- 8 or a district preliminarily determined to qualify as an historic district; or
- 9 C. Designated as historic under a state or local historic preservation program
- 10 that is approved by the Department of the Interior.

11 **105.3.3 Time limitation of application.** An application for a permit for any proposed

12 work shall be deemed to have been abandoned six months after the date of filing, unless

13 such application has been pursued in good faith or a permit has been issued; except that

14 the building official is authorized to grant one or more extensions of time for additional

15 periods not exceeding 90 days each if the building official deems that there is reasonable

16 cause and if a written request is received from the applicant for the extension prior to the

17 expiration date.

18 **105.3.4 Time limitation on approval.** When an application for a permit has been

19 approved by the building official and a permit has not been issued, the application shall

20 be deemed to have been abandoned three months after the approval date. A notice of

21 abandonment shall be sent to the applicant of record at least two weeks prior to the

1 abandonment of the application.

2 Applicants who have a record of abandoned permit applications shall be required on
3 all future permits to pay the application fee and the full permit fee upon application until
4 such time as the abandoned permits have been reapplied for and approved and all
5 applicable fees have been paid.

6 **105.3.5 Action on application for permit to use explosives.** When it is deemed proper,
7 safe and advisable, the building official shall, upon receipt of application, issue permits
8 for the use of explosives for blasting in connection with demolition, excavation,
9 construction or other building operations. Without such permit, the use of explosives for
10 the above-mentioned purposes is hereby prohibited. Additional permits shall be required
11 under the Fire Code.

12 ~~[105.3.7]~~ **105.3.6 Information on the permit.** The building official shall issue all
13 permits required by this code on an approved form furnished for that purpose. The
14 permit shall contain a general description of the operation or occupancy and its location
15 and any other information required by the building official. Issued permits shall bear the
16 signature of the building official or other approved legal authorization.

17 **105.4 Validity of permit.** The issuance or granting of a permit shall not be construed to be a
18 permit for, or an approval of, any violation of any of the provisions of this code or of any
19 other ordinance of the City of Saint Louis. Permits presuming to give authority to violate or
20 cancel the provisions of this code or other ordinances shall not be valid. The issuance of a
21 permit based on construction documents and other data shall not prevent the building official

1 from requiring the correction of errors in the construction documents and other data. The
2 building official is also authorized to prevent occupancy or use of a structure where in
3 violation of this code or any other ordinance of the City of Saint Louis.

4 **105.5 Expiration.** All permits shall be issued in the name of the property owner of record
5 for a period of six months unless noted otherwise. Permits shall be permitted to be extended
6 for additional six month periods if work is progressing and a written request from the owner
7 for the extension is received by the building official prior to the expiration of each permit.
8 Any permit issued shall become invalid if the authorized work is not commenced within six
9 months after issuance of the permit, or if the authorized work is suspended or abandoned for
10 a period of six months after the time of commencing the work; except that the building
11 official shall be permitted to grant one or more extensions of time for additional periods not
12 exceeding six months each if the building official deems that there is reasonable cause, and if
13 a written request is received from the owner for the extension prior to the expiration date.
14 No permit shall be extended if, after six months from issuance of said permit, no work has
15 begun and the Board of Aldermen has passed an ordinance that would make all or part of the
16 work thereon illegal or unlawful.

17 Permits shall also be abandoned upon written request from the property owner of record,
18 or if circumstances require, the Missouri licensed design professional.

19 **Exception:** Permits for demolition of buildings or structures or repair of buildings or
20 structures condemned in accordance with either Section 119 or Section 120 and other
21 work specifically identified by the building official, when in the best interests of the
22 public, shall become invalid after 30 days unless otherwise approved. The building

1 official shall be permitted to grant one or more extensions of time for additional periods
2 not exceeding 30 days each after receiving a written request from the owner explaining
3 the reasons for failing to commence or for suspending work.

4 **105.6 Suspension or revocation.** The building official is authorized to suspend or revoke a
5 permit issued under the provisions of this code whenever the permit is issued in error or on
6 the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance
7 or regulation or any of the provisions of this code.

8 **105.6.1 Revocation of permits.** The building official shall be permitted to revoke a
9 permit or approval issued under the provisions of this code in case of any false statement
10 or misrepresentation of fact in the application or construction documents on which the
11 permit or approval was based. The building official shall be permitted to revoke or
12 suspend a permit upon discovery of substantial non-compliance with this code or any
13 applicable city ordinance. Permits shall be revoked for non-payment of fees.

14 **105.6.2 Revocation of permits for repeat offenders.** The building official shall revoke
15 any permit or certificate associated with a building, structure or premises when an
16 owner(s) is convicted by a court of competent jurisdiction twice within a twelve month
17 period of being in violation of the same code provision on the same building, structure or
18 premises.

19 **105.7 Placement of permit.** A true copy of the building permit shall be kept on the site of
20 operations, open to inspection during the entire time of prosecution of the work and until the

1 completion of the same.

2 **105.8 Responsibility.** It shall be the duty of every person who performs work for the
3 installation or repair of building, structure, electrical, gas, mechanical, or plumbing systems,
4 for which this code is applicable, to comply with this code.

5 **105.9 Notice of start.** At least 24 hours notice of start of work under a building permit shall
6 be given to the building official.

7 **105.10 Compliance with permit.** All work shall conform to the approved application and
8 the approved construction documents for which the permit has been issued and any approved
9 amendments to the approved application or the approved construction documents. Any
10 addition to or alteration of approved construction documents shall be approved in advance by
11 the building official, as evidenced by the issuance of a new or amended permit.

12 **SECTION 106**

13 **FLOOR AND ROOF DESIGN LOADS**

14 **106.1 Live loads posted.** Where the live loads for which each floor or portion thereof of a
15 commercial or industrial building is or has been designed to exceed 50 pounds per square
16 foot, such design live loads shall be conspicuously posted by the owner in that part of each
17 story in which they apply, using durable signs. It shall be unlawful to remove or deface such
18 notices.

19 **106.2 Issuance of certificate of occupancy.** A certificate of occupancy required by Section

1 111 shall not be issued until the floor load signs required by Section 106.1 have been
2 installed.

3 **106.3 Restrictions on loading.** It shall be unlawful to place or cause or permit to be placed
4 on any floor or roof of a building, structure, or portion thereof a load greater than is permitted
5 by this code.

6 SECTION 107

7 CONSTRUCTION DOCUMENTS

8 **107.1 Submittaln documents.** The application for the permit shall be accompanied by at
9 least five complete sets of construction drawings, one set of project specifications, one set of
10 structural calculations, one set of the geotechnical (soils) report, and one set of site or
11 building photographs with sufficient clarity and detailed dimensions to show the nature and
12 character of the work to be performed. The minimum size of any sheet shall be 8 ½” x 11”
13 and the maximum size of any sheet shall be 36” x 48”. When quality of materials is essential
14 for conformity to this code, specific information shall be given to establish such quality.
15 This code shall not be cited nor the term “legal” or its equivalent be used as a substitute for
16 specific information. Construction documents containing the words “not for construction”,
17 “preliminary”, “review set”, or their equivalent shall not be accepted for application.
18 Construction documents marked with contractors’ “take-off” notations shall not be accepted
19 for application.

20 If the construction documents for single family or multiple family dwelling units are

1 prepared by a Missouri licensed architect, that architect must seal, sign and date the
2 construction documents as required by Chapter 327 of the Revised Statutes of the State of
3 Missouri.

4 **Exception:** The building official is authorized to waive the submission of construction
5 documents and other data not required to be prepared by a licensed design professional if
6 it is found that the nature of the work applied for is such that review of construction
7 documents is not necessary to obtain compliance with this code.

8 **107.1.1 Seals.** All construction documents submitted with an application for a building
9 permit shall be prepared by a Missouri licensed design professional as required by
10 Chapter 327 of the Revised Statutes of the State of Missouri. All construction documents
11 shall bear an original embossed or wet ink seal, original ink signature, and the date the
12 documents were sealed by the Missouri licensed design professional for each discipline
13 on the cover sheet of each set of construction documents or on the first sheet of each
14 discipline's drawings within each set of construction documents.

15 In addition, all other sheets of the construction documents other than project
16 specifications or calculations shall bear the original embossed, wet ink, electronic, or
17 mechanically reproduced seal, signature, and date of the Missouri licensed design
18 professional. Any addenda or modifications submitted for changes to the construction
19 documents shall also bear the original embossed or wet ink seal, original ink signature,
20 and date the documents were sealed.

21 All project specifications, calculations, reports, or other documents not considered to
22 be construction drawings shall bear an original wet ink or embossed seal, original ink

1 signature, and the date the documents were signed by the Missouri licensed design
2 professional for each discipline on the title or index sheet.

3 A Missouri licensed professional engineer cannot render architectural services or
4 seal, sign and date construction documents for any residential project. This could be
5 interpreted as the unlawful practice of architecture by a Missouri licensed professional
6 engineer. A Missouri licensed professional engineer may prepare seal, sign and date
7 architectural work which is incidental (insignificant, minor, etc.) to the engineering work
8 (and vice versa). This determination shall be made on a case by case basis depending
9 upon the full scope of the project.

10 **Exceptions:**

- 11 1. Construction documents for one- or two-family dwellings not prepared by a
12 Missouri licensed design professional, including name, address, and
13 telephone number of the author, .and indicating that they were not prepared
14 by a licensed architect.
- 15 2. Construction documents for non-structural alterations to multiple-family
16 dwellings with not more than four dwelling units not prepared by a Missouri
17 licensed design professional, including name, address, and telephone number
18 of the author, .and indicating that they were not prepared by a licensed
19 architect.
- 20 3. Construction documents for owner-occupied one- or two-family dwellings
21 prepared by the owner.

22 **107.2 Construction Documents.** Construction documents shall be in accordance with

1 Sections 107.2.1 through 107.2.9

2 **107.2.1 Information on construction documents.** Construction documents shall be
3 drawn and dimensioned upon suitable material. Construction documents shall be of
4 sufficient clarity to indicate the location, nature, and extent of the work proposed and
5 show in detail that it will conform to the provisions of this code and relevant laws,
6 ordinances, rules, and regulations as determined by the building official.

7 **107.2.2 Fire protection construction drawings.** Construction drawings for the fire
8 protection system(s) shall be submitted to show conformance with this code and the
9 construction documents and shall be approved prior to the start of system installation.
10 Shop drawings shall contain all information as required by the referenced installation
11 standards in Chapter 9 of the Building Code.

12 **107.2.3 Means of egress.** The construction documents shall show in sufficient detail the
13 location, construction, size, and character of all portions of the means of egress in
14 compliance with the provisions of this code.

15 **107.2.4 Exterior wall envelope.** Construction documents for all buildings shall describe
16 the exterior wall envelope in sufficient detail to determine compliance with this code.
17 The construction documents shall provide details of the exterior wall envelope as
18 required, including flashing, intersections with dissimilar materials, corners, end details,
19 control joints, intersections at roof, eaves, or parapets, means of drainage, water-resistive
20 membrane, and details around openings.

1 The construction drawings shall include manufacturing installation instructions that
2 provide supporting documentation that the proposed penetration and opening details
3 described in the construction documents maintain the weather resistance of the exterior
4 wall envelope. The supporting documentation shall fully describe the exterior wall
5 system which was tested, where applicable, as well as the test procedure used.

6 **107.2.5 Site plan.** The construction documents submitted with the application for permit
7 shall be accompanied by a site plan showing to scale the size and location of new
8 construction and existing structures on the site, distances from lot lines, the established
9 street grades and the proposed finished grades, and, as applicable, flood hazard areas,
10 floodways, and design flood elevations; and it shall be drawn in accordance with an
11 accurate boundary line survey. In the case of demolition, the site plan shall show
12 construction to be demolished and the location and size of existing structures and
13 construction that are to remain on the site or plot. The building official is authorized to
14 waive or modify the requirements for a site plan when the application for permit is for
15 alteration or repair or when otherwise warranted.

16 **107.2.5.1 Change in site plan.** A lot shall not be changed, increased, or diminished
17 in area from that shown on the official site plan until a revised site plan is
18 resubmitted showing such changes accompanied by proof that the documents have
19 been filed in the Recorder of Deeds Office and approved under the Zoning
20 Ordinance; except that such revised site plan will not be required if the change is
21 caused by reason of an official street or alley opening, street widening, or other public

1 improvement.

2 **107.2.6 Structural information.** For other than one- and two-family dwellings or
3 existing multiple-family dwellings with no more than four units, the construction
4 documents shall provide the information specified in Section 1603 of the Building Code.

5 **107.2.7 Manufacturer's installation instructions.** Manufacturer's installation
6 instructions, as required by this code, shall be available on the job site at the time of
7 inspection.

8 **107.2.8 Information of braced wall design.** For buildings and structures utilizing
9 braced wall design, and where required by the building official, braced wall lines shall be
10 identified on the construction documents. Pertinent information including, but not
11 limited to, bracing methods, location and length of braced wall panels, and foundation
12 requirements of braced wall panels at top and bottom shall be provided.

13 **107.2.9 Information for construction in flood hazard areas.** For buildings and
14 structures located in whole or in part in flood hazard areas, construction documents shall
15 include:

- 16 1. Delineation of flood hazard areas, floodway boundaries, and flood zones, and the
17 design flood elevation, as appropriate;
- 18 2. The elevation of the proposed lowest floor, including basement; in areas of
19 shallow flooding (AO zones), the height of the proposed lowest floor, including
20 basement, above the highest adjacent grade;

- 1 3. The elevation of the bottom of the lowest horizontal structural member in coastal
2 high hazard areas (V zone); and
- 3 4. If design flood elevations are not included on the community's Flood Insurance
4 Rate Map (FIRM), the building official and the applicant shall obtain and
5 reasonably utilize any design flood elevation and floodway data available from
6 other sources.

7 **107.3 Examination of documents.** The building official shall examine or cause to be
8 examined the construction documents for code compliance.

9 **107.3.1 Approval of construction documents.** The building official shall stamp three
10 sets of construction documents "APPROVED", and at least one set of such approved
11 construction documents shall be retained by the building official and one set shall be kept
12 at the building site, open to the inspection of the building official or an authorized
13 representative at all reasonable times. If additional "APPROVED" sets are required by
14 the applicant, a charge shall be made as listed in Table 109.3.1.

15 **107.3.2 Previous approvals.** This code shall not require changes in the construction
16 documents, construction or designated occupancy of a building or structure for which a
17 lawful permit has been heretofore issued or otherwise lawfully authorized, and the
18 construction of which has been actively prosecuted in good faith within 180 days after
19 the effective date of this ordinance and has not been abandoned. When the codes
20 adopted by the City of Saint Louis change from one edition to another, the work shall be
21 permitted to be completed under the codes in effect when the permit for said work was

1 originally issued.

2 **107.3.2.1 Code transition.** Unless requirements imposed by Federal law or State
3 statute have changed, permits applied for within six months of the effective date of
4 this ordinance shall be permitted to be reviewed and approved under the former code
5 if there is written evidence of a preliminary plan exam review of the project under the
6 former code. The cover sheet of the construction documents shall show under which
7 code the project was designed.

8 **107.3.3 Phased approval.** The building official is authorized to issue a permit for the
9 construction of foundations or any other part of a building or structure before the
10 construction documents for the whole building or structure have been submitted,
11 provided that adequate information and detailed statements have been filed complying
12 with pertinent requirements of this code. The holder of such permit for the foundation or
13 other parts of a building or structure shall proceed at the holder's own risk with the
14 building operation and without assurance that a permit for the entire structure will be
15 granted.

16 **107.3.4 Design professional in responsible charge.** When it is determined that
17 documents be prepared by a Missouri licensed design professional, the building official
18 shall be authorized to require the owner or the owner's authorized agent to engage and
19 designate on the building permit application a Missouri licensed design professional who
20 shall act as the Missouri licensed design professional in responsible charge. If the
21 circumstances require, the owner or the owner's authorized agent shall designate a

1 substitute Missouri licensed design professional in responsible charge who shall perform
2 the duties required of the original Missouri licensed design professional in responsible
3 charge. The building official shall be notified in writing by the owner or the owner's
4 authorized agent if the Missouri licensed design professional in responsible charge is
5 changed or is unable to continue to perform the duties.

6 The Missouri licensed design professional in responsible charge shall be responsible
7 for reviewing and coordinating submittal documents prepared by others, including
8 phased and deferred submittal items, for compatibility with the design of the building.

9 Where structural observation is required by Section 1710 of the Building Code, the
10 inspection program shall name the individual or firms who are to perform structural
11 observation and describe the stages of construction at which structural observation is to
12 occur. See also duties specified in Section 1704 of the Building Code.

13 **107.3.4.1 Deferred submittals.** For the purposes of this section, deferred submittals
14 are defined as those portions of the design that are not submitted at the time of the
15 application and that are to be submitted to the building official within a specified
16 period.

17 Deferral of any submittal items shall have the prior approval of the building
18 official. The Missouri licensed design professional in responsible charge shall list
19 the deferred submittals on the construction documents for review by the building
20 official.

21 The Missouri licensed design professional in responsible charge shall review the
22 deferred submittal items and forward them to the building official with a notation

1 indicating that they have been reviewed and found to be in general conformance with
2 the design of the building. The deferred submittal items shall not be installed until
3 their design and submittal documents have been approved by the building official.

4 **107.3.4.2 Engineering details.** The building official shall require to be filed
5 adequate details of structural, plumbing, mechanical, and electrical work including
6 computations, loadings, and structural analysis and other essential technical data. All
7 construction documents shall bear an original embossed or wet ink seal, original ink
8 signature and the date the documents were sealed by the Missouri licensed design
9 professional responsible for the design as required by State Statute. Such
10 calculations shall be permitted to be accepted by the building official as complying
11 with the conditions of this code without the need to verify the calculations or their
12 engineering analysis.

13 **107.4 Amended construction documents.** Work shall be installed in accordance with the
14 approved construction documents. Any changes to the approved scope of work shall be
15 submitted for approval as an addendum to the approved construction documents.

16 **SECTION 108**

17 **TEMPORARY STRUCTURES AND USES**

18 **108.1 General.** The building official is authorized to issue a permit for temporary structures
19 and temporary uses. Such permits shall be limited as to time of service, but shall not be
20 permitted for more than 180 days. The building official is authorized to grant extensions for

1 demonstrated cause.

2 **108.2 Conformance.** Temporary construction and uses shall conform to the structural
3 strength, fire safety, means of egress, light, ventilation, and sanitary requirements of this code
4 as necessary to insure the public health, safety, and general welfare.

5 **108.3 Temporary power.** The building official is authorized to give permission to
6 temporarily supply and use power in part of an electric installation before such installation
7 has been fully completed and the final certificate of completion has been issued. The part
8 covered by the temporary certificate shall comply with the requirements specified for
9 temporary lighting, heat or power in the Electrical Code.

10 **108.4 Termination of approval.** The building official is hereby authorized to terminate
11 such permit for a temporary structure or use and to order the temporary structure or use to be
12 discontinued.

13 **SECTION 109**

14 **FEEES**

15 **109.1 General.** No permit, certificate, or inspection report required by the provisions of this
16 code shall be released or issued until the fees listed in this section have been paid to the City
17 of Saint Louis; nor shall an amendment to a permit be released until the additional fees have
18 been paid. In collecting said fees, the building official is authorized to accept personal
19 checks as payment; however, non-payment by said checking account shall be considered as a

violation of this code and is cause for suspension or revocation of permits, certificates, or reports issued or released for such personal check payment. If a permit is suspended or revoked for non-payment of a fee or for insufficient funds, an additional \$25 shall be collected to cover administrative costs.

109.1.1 Fees other than herein prescribed. The payment of fees listed in this section shall not relieve the applicant or holder of any permit or any certificate of occupancy from the payment of other fees which shall be prescribed by law or ordinance for water taps, sewer connections, plumbing permits, mechanical permits, electrical permits, sprinkler permits, fire alarm permits, or fees for inspections or other privileges or requirements, both within and without the jurisdiction of the Division of Building and Inspection.

109.2 Schedule of permit fees. Fees for permits for construction shall be as established as follows:

109.2.1 Application fee. An application fee is an administrative charge made for processing permit applications, preparing a Certificate of Flood Plain Status, or conducting a Building Line Survey and shall be as listed in Table 109.3.1.

109.2.2 New construction and additions. The building permit fee for new construction and additions will be based on the total estimated cost of construction, and shall be charged at the rate listed in Table 109.3.1 for new construction and additions. For the purpose of determining a fee, total construction costs shall include all costs for normal

1 site preparation including grading, excavation, and backfill; structural work; interior and
2 exterior finishes; and plumbing, mechanical, and electrical work. The following shall be
3 permitted to be excluded from total construction costs: the cost to install sprinkler,
4 standpipe, and fire alarm systems; and signs.

5 **109.2.3 Miscellaneous structures and site work.** The fee for a permit for, including but
6 not limited to, retaining walls, fences and site-work (including parking lots) shall be
7 based on the estimated total cost of the construction at the rate listed in Table 109.3.1.

8 **109.2.4 Alterations and repairs.** The fee for a permit for alterations or repairs to a
9 building or structure shall be based on the estimated total cost of said alterations or
10 repairs and shall be charged at the rate listed in Table 109.3.1.

11 **109.2.5 Tanks, devices, etc.** The fee for a permit for the installation of a tank, device,
12 equipment, or other structure or facility shall be as listed in Table 109.3.1.

13 **109.2.6 Tents, amusement booths.** The fee for a permit for the construction,
14 installation, or erection of a tent or amusement booth shall be as listed in Table 109.3.1.
15 This shall include all those for private parties, picnics, carnivals, circuses, or traveling
16 exhibitions.

17 **109.2.7 Moving of buildings.** The fee for a permit to move a building or structure from
18 one lot to another, or to a new location on the same lot, shall be as listed in Table
19 109.3.1. In the event that a building or structure is to be moved from a point within the
20 City of Saint Louis to a point outside the city, the fee for the moving permit shall be

1 based on the estimated total cost of restoration of the original site to a safe and
2 satisfactory condition plus that portion of the moving cost which covers the journey to
3 the city limits. In the event that a building or structure is to be moved from the outside of
4 the City of Saint Louis to a point inside the city limits, the fee for the moving permit shall
5 be based on the estimated total cost of the portion of the journey from the city limits to
6 the site of re-erection.

7 **109.2.7.1 New foundations.** Before any building or structure is moved to a new
8 foundation, a separate building permit shall be obtained for the construction of said
9 new foundation; the fee for the permit for said foundation shall be as listed in Table
10 109.3.1. In addition, all additional electrical, mechanical, and plumbing permits shall
11 be obtained.

12 **109.2.8 Explosives.** The fee for a permit for the use of explosives for blasting in
13 connection with demolition, excavation, construction, or other building operations shall
14 be as listed in Table 109.3.1. When a blasting operation consists of a series of blasts at
15 intervals of distance, such as blasting a trench for the installation of utilities, and the
16 extent of the blasting operations exceeds 250 feet in length, the fee for a permit shall be
17 charged for the first 250 feet of the operation with an additional fee for each additional
18 250 feet or any portion thereof. The fee for a permit for the use of explosives shall cover
19 the issuance of the permit and shall also cover pre-blasting survey inspection and post-
20 blasting survey inspection of all property within 250 feet of the blasting operation. In
21 addition, a separate permit shall be required under the Fire Code for the transportation,

1 storage, or use of explosives.

2 **109.2.9 Addendum to permit.** Fees for addendums to issued permits shall be as
3 follows:

- 4 1. Where an addendum includes work that will increase the construction cost of the
5 complete project, the fee listed in Table 109.3.1 shall be calculated on the
6 additional cost incurred by the change in scope, and shall include application,
7 special demolition fund, and lead remediation fees.
- 8 2. Where an addendum does not include work that will increase the construction
9 cost of the complete project, or includes work or removal of work that decreases
10 the cost of the complete project, a minimum fee as listed in Table 109.3.1 and an
11 application fee shall apply.

12 **109.2.10 Special demolition fund.** There shall be an additional fee charged on all
13 building permits based on the total estimated cost of construction, and shall be charged at
14 the rate listed in Table 109.3.1 for the special demolition fund.

15 **109.2.11 Lead remediation fund.** There shall be an additional fee charged on all
16 building permits based on the total estimated cost of construction, and shall be charged at
17 the rate listed in Table 109.3.1 for the special lead remediation fund.

18 **109.2.12 Vacant building registration fee.** A semiannual registration fee of \$200 shall
19 be charged to the owner of any parcel of residential property improved by a residential
20 structure, or commercial property improved by a structure containing multiple dwelling

1 units, which is vacant and has been vacant for at least six months, and which is violation
2 of this code.

3 **109.2.13 Fee for duplicate copy.** Any person requesting a copy of a building permit,
4 occupancy permit, or certificate of inspection issued under this code, or the holder of any
5 permit for similar purpose issued by the building official under any previous code or
6 ordinance, can obtain a duplicate or re-issued copy of said permit for a fee of one dollar
7 per copy. This fee is listed in Table 109.3.1.

8 **109.2.14 Fee for occupancy permit.** Fees for the issuance of an occupancy permit shall
9 be as listed in Table 109.3.1. There shall be no charge for the issuance of the original
10 occupancy permit upon completion of construction in accordance with the building
11 permit for new buildings or buildings hereafter altered with construction costs exceeding
12 \$30,000.

13 **109.2.14.1 Fee for temporary or partial occupancy permit.** The fee for a partial
14 occupancy permit shall be as listed in Table 109.3.1.

15 **109.2.14.2 Fee for changing the name on an occupancy permit.** Any person
16 requesting a re-issuance of an occupancy permit issued under this code or under any
17 previous code or ordinance due to a change of name can obtain a re-issued copy of
18 said permit for a fee of twenty five dollars per copy. This fee is listed in Table
19 109.3.1.

1 **109.2.15 Fee for approving additional sets of construction documents.** Any person
2 requesting additional sets of approved construction documents issued under this code or
3 under any previous code or ordinance shall be charged a fee of one dollar per page. This
4 fee is listed in Table 109.3.1.

5 **109.3 Fee tables.** The building official shall cause to be collected all fees as listed in Table
6 109.3.1 and elsewhere in this code.

7 **109.3.1 Fee schedule.** Table 109.3.1 contains fees for permits for new construction and
8 additions; miscellaneous structures; alterations and repairs to existing buildings; tanks;
9 moving of buildings; demolition of structures; blasting for demolition or construction
10 purposes; picnics, carnivals, and circuses or traveling exhibitions; tents; amusement park
11 devices; addendums to permit; the special demolition and lead remediation funds; special
12 inspections; and occupancy.

13 **109.3.2 Building permit valuations.** The applicant for a building permit shall provide a
14 total estimated cost of construction for the project at the time of application. For the
15 purpose of determining fees, total construction costs shall include all costs for normal site
16 preparation including grading, excavation, and backfill; structural work; interior and
17 exterior finishes; and plumbing, mechanical, and electrical work. The following shall be
18 permitted to be excluded from total construction costs: the cost to install sprinkler,
19 standpipe and fire alarm systems; and signs.

20 If, in the opinion of the building official, the valuation is underestimated on the
21 application, the permit shall be denied, unless the applicant can show detailed

1 construction estimates for the project to meet the approval of the building official. The
2 building official shall be permitted to require the submittal of signed and notarized
3 construction contracts when the total estimated cost of construction is questioned. Final
4 building permit valuation shall be set by the building official.

5 Final costs shall be determined by the building official, if necessary, by multiplying
6 the total floor area of the project in square feet by an appropriate square foot cost rate, or
7 by using the current ICC Building Valuation Data Report for New Construction,
8 Additions, Alterations, Repairs, or Rehabilitation.

Table 109.3.1
BUILDING PERMIT FEES FOR STRUCTURES; BLASTING AND INSPECTIONS FEES

Item	Fee	Minimum Fee	Section	Remarks & Requirements
APPLICATION FEE; or Building Line Survey	\$ 25.00		109.2.1	An administrative charge made for processing applications.
Certificate of Flood Plain Status	\$ 10.00		109.2.1	
PERMIT FOR NEW CONSTRUCTION AND ADDITIONS	\$6.00/\$1000 of estimated cost or fraction thereof	\$ 15.00	109.2.2	
MISCELLANEOUS STRUCTURES PERMIT – Structures such as towers, retaining walls, floating structures, parking lots, fences, awnings, signs, etc.	\$6.00/\$1000 of estimated cost or fraction thereof	\$ 15.00	109.2.3	For all structures, devices, appurtenances, and equipment requiring permits & not otherwise provided for by this code.
PERMIT FOR ALTERATIONS & REPAIRS TO AN EXISTING BUILDING	\$6.00/\$1000 of estimated cost or fraction thereof	\$ 15.00	109.2.4	Permits for flammable and combustible liquids are required under the Fire Code.

Table 109.3.1
BUILDING PERMIT FEES FOR STRUCTURES; BLASTING AND INSPECTIONS FEES

Item	Fee	Minimum Fee	Section	Remarks & Requirements
TANK PERMIT For any purpose except flammable and combustible liquids	\$6.00/\$1000 of estimated cost or fraction thereof	\$ 15.00	109.2.5	
TENT PERMIT	\$ 35.00		109.2.6	Section 3103 of the Fire Code.
MOVING OF BUILDING PERMIT Within City Limits	\$1.00/\$100 of estimated cost or fraction thereof	\$ 15.00	109.2.7	Estimated cost of moving building to new location plus cost of restoring previous site to a safe condition.
To outside City Limits	\$1.00/\$100 of estimated cost or fraction thereof	\$ 15.00		Estimated cost of moving building to city limits plus cost of restoring previous site to a safe condition.
From outside City Limits to within City Limits	\$1.00/\$100 of estimated cost or fraction thereof	\$ 15.00		Estimated cost of moving building from City Limits to a new site.
Foundation for building	\$6.00/\$1000 of estimated cost or fraction thereof	\$ 15.00	109.2.7.1	
EXPLOSIVES PERMIT Blasting permit for trenching	\$6.00/250 lineal feet or fraction thereof	\$ 100.00	109.2.8	For construction, excavation, or other building operation.
Blasting for demolition	\$ 100.00	\$ 100.00	109.2.8	Includes pre- and post-blast survey per building/per blast.
ADDENDUM PERMIT Amendment which involves additional dollars in project cost.	\$6.00/\$1000 of estimated increased cost or fraction thereof	\$ 25.00	109.2.9	
Amendment which involves decrease or no increase in project cost.	\$ 25.00	\$ 25.00		

Table 109.3.1
BUILDING PERMIT FEES FOR STRUCTURES; BLASTING AND INSPECTIONS FEES

Item	Fee	Minimum Fee	Section	Remarks & Requirements
SPECIAL DEMOLITION FUND	\$2.00/\$1,000 of estimated cost or fraction thereof		109.2.10	Special fund approved by the voters.
LEAD REMEDIATION FUND	\$2.00/\$1,000 of estimated cost or fraction thereof		109.2.11	Special fund approved by Ordinance 64699.
VACANT BUILDING REGISTRATION FEE	\$200.00 Semi-annually		121.1	
DUPLICATE COPY OF BUILDING PERMIT, OCCUPANCY PERMIT OR CERTIFICATE OF INSPECTION	\$ 1.00 per copy		109.2.13	
APPLICANT REQUEST FOR OCCUPANCY PERMIT Residential Commercial 3,500 sq. ft. or less Commercial over 3,500 sq.ft.	\$ 80.00 \$20.00/each additional unit in same structure \$ 80.00 \$ 160.00		109.2.14 109.2.14.1	Special inspection fees for occupancy permits. This fee is also applicable to partial occupancy permits. When units are inspected on the same site inspection.
RE-ISSUANCE OF OCCUPANCY PERMIT DUE TO NAME CHANGE	\$ 25.00 per copy		109.2.14.2	
APPROVAL OF ADDITIONAL SETS OF CONSTRUCTION DOCUMENTS	\$ 1.00 per page		109.2.15	
DEMOLITION PERMITS - Structure volume less than 10,000 cu. ft.	\$ 10.00	\$ 10.00	123.1.5	Based on volume of structure exclusive of basement or cellars.

Table 109.3.1
BUILDING PERMIT FEES FOR STRUCTURES; BLASTING AND INSPECTIONS FEES

Item	Fee	Minimum Fee	Section	Remarks & Requirements
10,000 cu. ft. and over	\$15.00/10,000 cu. ft. or fraction thereof	\$ 25.00		Demolition permits shall be issued for a period not to exceed thirty days.
DEMOLITION INSPECTION FEE				
Less than 10,000 cu. ft.	\$ 15.00	\$ 15.00	123.1.5	Per site
10,000 cu. ft. or over	\$ 25.00	\$ 25.00		Per site
Blasting for demolition	\$ 50.00	\$ 50.00	109.2.8	Per site
Applicant request	\$ 25.00			Related to other occupancy and use permits requested by the applicant.
Emergency and specialty inspection	\$ 25.00			Charge for inspection requested to be made beyond normal working hours - not to exceed \$25.00 per requested inspection.

- 1 **109.3.3 Sign fee schedule.** Table 109.3.3 contains the basic building fees for signs
- 2 governed by this code.

Table 109.3.3 (a)
SIGN PERMIT FEES

Item	Fee	Minimum Fee	Section
GROUND SIGNS			
Up to 100 square feet	\$ 100.00	\$ 100.00	IBC H101.3.1
Over 100 square feet	\$ 160.00		
ROOF SIGNS			
Up to 100 square feet	\$ 100.00	\$ 100.00	IBC H101.3.1
Over 100 square feet	\$ 160.00		
WALL SIGNS			
Up to 100 square feet	\$ 100.00	\$ 100.00	IBC H101.3.1
Over 100 square feet	\$ 160.00		
PROJECTING SIGNS			
Up to 100 square feet	\$ 100.00	\$ 100.00	IBC H101.3.1

Over 100 square feet	\$ 160.00		
SPECIAL OR TEMPORARY DISPLAY SIGNS REQUIRING PERMITS Fees for a special sign shall be the same as the one above which it most closely resembles.		\$ 100.00	IBC H101.3.1
LETTERING OR GRAPHICS ON AWNINGS AND CANOPIES	\$ 50.00	\$ 50.00	

Note a. When a question arises as to what type of sign is being constructed or placed, it shall be designated as that type of sign it most closely resembles as determined by the building official. (See also Chapter 29 of the Building Code and the Zoning Ordinance.)

- 1 **109.4 Work started surcharge fees schedule.** In case any work for which a permit is
- 2 required by this code is substantially started or proceeded with prior to obtaining said permit,
- 3 the total normal fees applicable shall be increased by the amount as listed in Table 109.4.
- 4 The payment of said surcharge fee shall not relieve any persons from fully complying with
- 5 the requirements of this code for performance or execution of the work, nor from other
- 6 penalties prescribed by law.

Table 109.4
SCHEDULE FOR SURCHARGE BUILDING PERMIT FEES

Permit fee	Surcharge fee
\$0 TO \$50	\$30.00
\$51 TO \$200	\$90.00
\$201 TO \$500	\$240.00
\$501 TO \$2,000	\$360.00
\$2,001 TO \$10,000	\$480.00
OVER \$10,000	\$600.00

- 7 **109.5 Demolition work started surcharge fees schedule.** In case any work for which a
- 8 demolition permit is required by the code is substantially started or proceeded with prior to
- 9 obtaining said permit, the total normal fees applicable shall be increased by the amount as

1 listed in Table 109.5. The payment of said surcharge fee shall not relieve any persons from
2 fully complying with the requirements of this code for performance or execution of the work,
3 nor from other penalties prescribed by law.

Table 109.5
SCHEDULE FOR SURCHARGE DEMOLITION PERMIT FEES

Permit fee	Surcharge fee
\$0 TO \$50	\$30.00
\$51 TO \$200	\$90.00
\$201 TO \$500	\$240.00
\$501 TO \$2,000	\$360.00
\$2,001 TO \$10,000	\$480.00
OVER \$10,000	\$600.00

4 **109.6 Related fees.** The payment of fees for the construction, alteration, removal or
5 demolition for work done in connection with or concurrently with the work authorized by a
6 building permit shall not relieve the applicant or holder of the permit from the payment of
7 other fees that are prescribed by law.

8 **109.7 Fees non-refundable.** The fee for a permit based upon an estimated cost that is higher
9 than later claimed by the applicant shall not be a basis for refund. When construction does
10 not occur, or only partially occurs, fees collected are not refundable.

11 **109.8 Fees waived for disaster related permits.** In the event of a tornado, earthquake,
12 flood, or any other disaster of such magnitude to activate the City Emergency Management
13 Agency, the Building Commissioner is authorized to waive all permit fees normally collected
14 by the Division of Building and Inspection for repairs, reconstruction, demolition, plumbing,

1 mechanical, or electrical work or any other similar permits required by this Division to
2 correct the damage caused by such disaster. These permit fees shall be permitted to be
3 waived for a period not to exceed six months or as otherwise determined by the Building
4 Commissioner.

5 **SECTION 110**

6 **INSPECTIONS**

7 **110.1 General.** Construction or work for which a permit is required shall be subject to
8 inspection by the building official and such construction or work shall remain accessible and
9 exposed for inspection purposes until approved. Approval as a result of an inspection shall
10 not be construed to be an approval of a violation of the provisions of this code or of other
11 ordinances of the City of Saint Louis. Inspections presuming to give authority to violate or
12 cancel the provisions of this code or of other ordinances shall not be valid. It shall be the
13 duty of the permit applicant to cause the work to remain accessible and exposed for
14 inspection purposes. Neither the building official nor the City of Saint Louis shall be liable
15 for expenses entailed in the removal or replacement of any material required to allow
16 inspection.

17 **110.2 Preliminary inspection.** Before issuing a permit, the building official is authorized to
18 examine or cause to be examined buildings, structures and sites for which an application has
19 been filed.

20 **110.2.1 Notice to begin work.** It shall be the responsibility of the holder of a permit to

1 notify the building official when work is ready for the various inspections required by the
2 terms of the permit or the approved rules. Such notice shall be given within a reasonable
3 time before the inspection is desired, but in no event shall the notice be less than the
4 working day before. Notice given on a Friday or on a day prior to a legal holiday shall
5 not constitute notice for inspection on a Saturday, Sunday, or holiday unless
6 arrangements have been made under approved rules for overtime inspection on such
7 days. Before giving such notice the holder of the permit shall first test the work and
8 satisfy themselves that it conforms to the approved construction documents and the
9 requirements of this code.

10 **110.3 Required inspections.** The building official, upon notification, shall make the
11 inspections set forth in Sections 110.3.1 through 110.3.10. No work shall be done on any
12 part of the building or structure beyond the point indicated in each successive inspection
13 without first obtaining the approval of the building official or authorized representative.
14 Approval shall be given only after an inspection has been requested and made of each
15 successive step in the construction phase and all code requirements or corrections are
16 completed as indicated by each of the inspections required. A final inspection and approval
17 of all buildings shall be completed before **occupancy** as described in Section 111. Failure to
18 obtain a final inspection before occupancy will constitute a violation of the building code
19 subject to the penalties as set forth in Section Four of the adopting ordinance. Reinforcing
20 steel or structural framework of any part of a building or structure shall not be covered or
21 concealed in any manner without first obtaining the approval of the building official. The
22 building official, upon notification from a permit holder or agent, in accordance with the

1 rules of procedure listed on the permit and posted in the office of the building official, shall
2 make the following inspections and shall either approve that section or portion of the
3 construction as completed or shall notify the permit holder or agent that they have failed to
4 comply with the law.

5 **110.3.1 Footing or foundation inspection.** Footing and foundation inspections shall be
6 made after excavation for footings are complete and any required reinforcing steel is in
7 place. For concrete foundations, any required forms shall be in place prior to inspection.
8 Materials for the foundation shall be on the job, except where concrete is ready mixed in
9 accordance with ASTM C 94, the concrete need not be on the job. The owner is solely
10 responsible for the correct location of the foundation on the site.

11 **110.3.1.1 Soil inspection.** A soil inspection shall be made after excavation for the
12 building or structure is complete and trenches for footings, column pads, spread
13 footings, or other types of footings are ready for concrete. No concrete shall be
14 poured prior to this inspection.

15 **110.3.1.2 Pier inspection.** Where special foundations such as drilled and
16 poured-in-place concrete piers, driven piles of all types, caissons, and other
17 extraordinary types are required, the building official shall make at least one
18 inspection or more if the size of the job warrants it.

19 **110.3.2 Concrete slab or under-floor inspection.** Concrete slab and under-floor
20 inspections shall be made after in-slab or under-floor reinforcing steel and building

1 service equipment, conduit, piping accessories, and other ancillary equipment items are
2 in place, but before any concrete is placed or floor sheathing installed, including the
3 subfloor.

4 **110.3.3 Lowest floor elevation.** In flood hazard areas, upon placement of the lowest
5 floor, including basement, and prior to further vertical construction, the elevation
6 certificate required in Section 1612.5 of the Building Code shall be submitted to the
7 building official.

8 **110.3.4 Frame inspection.** Framing inspections shall be made after the roof deck or
9 sheathing, all framing, fire blocking, and bracing are in place and pipes, chimneys, and
10 vents to be concealed are complete and the rough electrical, plumbing, heating wires,
11 pipes, and ducts are approved.

12 **110.3.5 Lath, gypsum board, and gypsum panel product inspection.** Lath, gypsum
13 board, and gypsum panel product inspections shall be made after lathing, gypsum board,
14 and gypsum panel products, interior and exterior, are in place, but before any plastering is
15 applied or gypsum board or gypsum panel product joints and fasteners are taped and
16 finished.

17 **Exception:** Gypsum board and gypsum panel products that are not part of a fire-
18 resistance-rated assembly or a shear assembly.

19 **110.3.5.1 Covering work.** It shall be a violation of this code to cover prior to
20 inspection any work required to be inspected under the provisions of a permit, the

1 approved rules, or this code, regardless of any penalties for such violation. The
2 building official shall be permitted to require the holder of the permit to uncover any
3 such work for inspection, and the cost of uncovering such work and of replacing the
4 cover after the work has been satisfactorily inspected, shall be borne by the holder of
5 the permit.

6 **110.3.6 Fire- and smoke-resistant penetrations.** Protection of joints and penetrations
7 in fire-resistance-rated assemblies, smoke barriers, and smoke partitions shall not be
8 concealed from view until inspected and approved.

9 **110.3.7 Energy efficiency inspections.** Inspections shall be made to determine
10 compliance with Chapter 13 of the Building Code or Chapter 11 of the Residential Code
11 for One- and Two-family Dwellings, as applicable, and shall include, but not be limited
12 to, inspections for: envelope insulation *R* and *U* value, fenestration *U* value, duct system
13 *R* value, and HVAC and water heating equipment efficiency.

14 **110.3.8 Other inspections.** In addition to the inspections specified above, the building
15 official is authorized to make or require other inspections of any construction work to
16 ascertain compliance with the provisions of this code and other laws that are enforced by
17 the Division of Building and Inspection.

18 **110.3.8.1 Plant inspection.** Where required by the provisions of this code or by the
19 approved rules, materials or assemblies shall be inspected at the point of manufacture
20 or fabrication.

1 **110.3.8.2 Evaluation and follow-up services.** Prior to the approval of a closed
2 prefabricated assembly and issuance of a building permit, the building official shall
3 require the submittal of an evaluation report of each prefabricated assembly
4 indicating the complete details of the assembly including a description of the
5 assembly and its components, the basis upon which the assembly is being evaluated,
6 test results and similar information, and other data as necessary for the building
7 official to determine conformance with this code. Acceptable reports shall be
8 permitted to come from the State of Missouri Public Service Commission or ICC
9 Evaluation Services.

10 **110.3.8.2.1 Evaluation service.** The building official shall designate the
11 evaluation service of an approved agency as the evaluation agency, and review
12 such agency's evaluation report for adequacy and conformance to this code.

13 **110.3.8.2.2 Follow-up inspection.** Except where all assemblies and
14 subassemblies, service equipment, and accessories are readily accessible for
15 complete inspection at the site without disassembly or dismantling, the building
16 official shall conduct the frequency of in-plant inspections as necessary to
17 reasonably assure conformance to the approved evaluation report or shall
18 designate an approved independent inspection agency to conduct such
19 inspections. The inspection agency shall furnish the building official with the
20 follow-up inspection manual and a written report of inspections upon request, and
21 the product shall have an identifying label permanently affixed to the product

1 indicating that factory inspections have been performed.

2 **110.3.8.2.3 Test and inspection records.** All required tests and inspection
3 records shall be accessible to the building official or quality assurance agency at
4 all times during the fabrication of the unit or subassembly and the erection of the
5 building; or such records as the building official designates shall be filed with the
6 building official.

7 **110.3.8.2.4 Inspection reports.** All inspection reports shall be in writing and
8 shall be certified by the licensed authority or responsible officer of the service, or
9 by the individual when expert inspection services are accepted. An identifying
10 label or stamp permanently fixed to the product indicating that factory inspection
11 has been made shall be accepted in lieu of the aforesaid inspection report in
12 writing if the intent or meaning of such identifying label or stamp is properly
13 substantiated.

14 **110.3.9 Special Inspections.** For special inspections, see Section 1704 of the Building
15 Code.

16 **110.3.10 Final inspection.** The final inspection shall be made after all work required by
17 the building permit is completed.

18 Upon completion of the building or structure, and before issuance of the occupancy
19 permit as required in Section 111, a final inspection shall be made. All violations of the
20 approved construction documents and permit shall be noted and the holder of the permit

1 shall be notified of the discrepancies. The building official shall be permitted to issue a
2 partial occupancy permit for a specific period of time. Failure to comply with the
3 conditions shall cause revocation of the permit.

4 **110.3.11 Blast survey inspections.** When a permit is issued for the use of explosives,
5 the building official shall cause to be conducted two survey inspections of all buildings
6 within 250 feet of the blasting, and a third inspection to be made after the blasting. These
7 inspections shall indicate any settlement, cracks or other deterioration; additional or
8 supplemental detailed survey work shall be permitted to be required by the building
9 official. Such inspections or survey work, as required by the building official, must be
10 conducted by a private individual or individuals technically competent to do such work
11 and acceptable to the building official. Such private surveys shall be conducted at the
12 expense of the permit applicant. The additional or supplemental survey work shall be
13 permitted to be accepted by the building official in lieu of the pre-blast or post-blast
14 survey if the survey(s) has included all areas within 250 feet of the blasting site and
15 contains the details required herein.

16 **110.4 Approved inspection agencies.** The building official is authorized to accept reports
17 of approved inspection agencies, provided such agencies satisfy the requirements as to
18 qualifications and reliability.

19 **110.5 Inspection requests.** It shall be the duty of the holder of the building permit or their
20 duly authorized agent to notify the building official when work is ready for inspection. It
21 shall be the duty of the permit holder to provide access to and means for inspection of such

1 work for any inspections that are required by this code.

2 **110.5.1 Action on notice.** Upon receipt of notice that work is ready for inspection, the
3 building official shall inspect, or cause to be inspected, the work as soon as reasonably
4 practicable. However, failure of the building official to make a prompt inspection shall
5 not be deemed justification for covering work without inspection when such work is
6 required under the terms of the permit to be inspected before being covered.

7 **110.6 Approval required.** Work shall not be done beyond the point indicated in each
8 successive inspection without first obtaining the approval of the building official. The
9 building official, upon notification, shall make the requested inspections and shall either
10 indicate the portion of the construction that is satisfactory as completed, or shall notify the
11 permit holder or an agent of the permit holder wherein the same fails to comply with this
12 code. Any portions that do not comply shall be corrected and such portion shall not be
13 covered or concealed until authorized by the building official.

14 **110.7 Periodic inspections.** The building official shall, if deemed necessary, make or cause
15 to be made such periodic inspections of buildings, structures, devices, appurtenances, and
16 uses as are required by and in the intervals prescribed by Table 110.7. In order to provide a
17 uniform workload throughout the year, the building official shall be permitted to alter the
18 intervals between periodic inspections as required to meet staffing levels.

TABLE 110.7
PERIODIC INSPECTION OF STRUCTURES, DEVICES, AND USES

Item	Period between inspections
------	----------------------------

TABLE 110.7
PERIODIC INSPECTION OF STRUCTURES, DEVICES, AND USES

Item	Period between inspections
Cornices, entablatures, belt courses, trim, and similar decorative features; maintenance repair and safe condition thereof (for such items projecting from the face of buildings). See note a.	3 years
Exterior Cantilevered Balconies, Stairways, and Fire Escapes. See note b.	3 years
Other annual permits, certificates, and clearances through Board of Public Service action such as day care centers, nursing homes, homes for the aged, hospitals. See note c.	1 year
Permanent amusement devices	1 year
Auto lifts	1 year

Note a. Applies to all buildings over five stories or 60 feet in height. Owners to submit report bearing the seal, signature, and date of a Missouri licensed Professional Engineer or Architect to the building official every three years describing the condition and safety of cornices, entablatures, belt courses, etc. The building official shall waive inspection if feature does not encroach over a City of Saint Louis sidewalk, street, or alley.

Note b. Owners shall submit a report bearing the seal, signature, and date of a Missouri licensed Professional Engineer or Architect to the building official every three years describing the condition and safety of exterior cantilevered balconies, stairways, and fire escapes.

Note c. Applies to all other inspections of buildings or uses not otherwise provided for in this code or any City ordinance which are made annually per the Board of Public Service Permit, and which are assigned by BPS to the Building Division for permit verification, certification, re-certification, or clearances.

1 **110.7.1 Professional inspection.** The building official shall require owners to supply
2 inspection reports by Missouri licensed design professionals for any building, structure,
3 appurtenance, or device when, in the building official's opinion, it is necessary to insure
4 proper public safety, health, and welfare.

5 **110.8 Authority to enter.** The building official shall have the authority to enter at any
6 reasonable hour any building, structure or premises in the City of Saint Louis for which a
7 permit has been issued but has not received a certificate of occupancy in accordance with
8 Section R110 to enforce the provisions of this code or any other code or ordinance of the

1 City of Saint Louis. No person shall accompany a building official onto a premises in the
2 performance of their duty unless otherwise invited onto said premises by the owner or the
3 owner's representative.

4 For all other structures or premises, when the building official has reasonable cause to
5 believe that a code violation exists, the building official is authorized to enter the building,
6 structure, or premises at reasonable times to inspect subject to constitutional restrictions on
7 unreasonable searches and seizures. If entry is refused or not obtained, the building official
8 is authorized to pursue recourse as provided by law.

9 **110.9 Jurisdictional cooperation.** The assistance and cooperation of the Police, Fire,
10 Streets, Parks, and Health Departments; City Counselor's Office; and all other city officials
11 shall be available as required in the performance of the duties of the building official.

12 **110.10 Parking.** Division of Building and Inspection employees and other city employees in
13 jurisdictional cooperation, when on official duty, shall be allowed to park without payment of
14 fees at any parking meter or contrary to posted no parking zones. In no event will parking be
15 allowed in front of fire plugs, mail boxes, bus stops, or wheelchair ramps or within disabled
16 parking spaces unless vehicle displays a permanent Missouri placard or license plate for the
17 disabled.

18 **110.10.1 Placards.** Each authorized individual shall display one placard approved by the
19 building official in either the front or rear window of private or city vehicles to indicate
20 that the individual is on official city business and is exempt from parking fees, citations,
21 and parking tickets in accordance with Section 110.10 during normal working hours.

1 structure, or premises, provided that no conditions exist which endanger public life, safety, or
2 welfare. Partial occupancy permits shall be permitted to be subject to conditions.

3 **111.2.1 Accessible type A dwelling units when granting partial occupancy permit.**

4 Before a partial occupancy can be approved, an accessible Type A unit must be
5 completed in for sale multi-family residential buildings where 50% of the units are built
6 out. This must be an accessible Type A dwelling that was designated on the approved
7 building permit construction drawings or on an addendum. The unit must comply with
8 ICC A117.1-2009 Chapter 10: Dwelling Units, Section 1003, Type A units.

9 If the accessible Type A dwelling unit on the original building permit construction
10 drawings is not built out in the location shown, the architect of record shall submit
11 revised construction drawings indicating the location of the new accessible Type A
12 dwelling units within the building as an addendum to the original building permit
13 application.

14 **111.3 Certificate of substantial completion.** Upon the request of the design professional of
15 record, the building official shall be permitted to issue a Certificate of Substantial
16 Completion for a building, structure, or premises before the entire work covered by the
17 building permit has been completed provided there are no conditions existing which would
18 endanger public safety, health, or welfare. Certificates of Substantial Completion shall be
19 permitted to be subject to conditions. The owner can occupy or utilize the work or
20 designated portion thereof for the use for which it is intended provided a partial occupancy
21 permit has been applied for and issued by the building official.

1 **111.4 Contents of the occupancy permit.** When a building, structure, or premises is
2 entitled thereto, the building official shall issue an occupancy permit within a reasonable
3 period of time. The occupancy permit shall certify compliance with the provisions of this
4 code and the purpose for which the building, structure, or premises will be used. The
5 occupancy permit shall specify the use group in accordance with the provisions of Chapter 3
6 of the Building Code, the type of construction as defined in Chapter 6 of the Building Code,
7 and any special stipulations and conditions of the building permit. Any building, structure,
8 or premises for which an occupancy permit has been issued shall be permitted to be
9 reinspected to confirm compliance with this code and the Zoning Ordinance.

10 **111.5 By whom application is made.** An application for an occupancy permit shall be made
11 by the owner of record of the building, structure, or premises. If an occupancy permit
12 application is made by any person other than the owner of record, a notarized letter or some
13 other proof must be presented granting permission from the owner of record to the applicant
14 to apply for the occupancy permit for the stated use. The full names, addresses, and
15 telephone numbers of the owner, lessor, and applicant shall be stated. If the building is
16 owned by a corporation, said notarized permission letter or other proof shall be signed by an
17 officer or registered agent of that corporation. If the applicant for the occupancy permit is a
18 corporation, an officer, registered agent, or other responsible person of that corporation shall
19 sign the application stating their position with said corporation.

20 **111.6 Posting of occupancy permit; responsibilities.** It shall be the duty or responsibility
21 of the operator of every business to display a copy of a legally issued occupancy permit

1 pertaining to the actual business in effect on the premises. It shall be the duty of the Saint
2 Louis Police Department to enforce the provisions of this section. When the building official
3 is informed of or suspects any violation of this code, it shall be the duty of the holder of an
4 occupancy permit to allow the building official to inspect the building, structure, premises, or
5 any portion thereof. Violation of this section shall result in revocation of said occupancy
6 permit and shall be subject to penalties as set forth in Section Four of the adopting ordinance.

7 **111.7 Occupancy permit application abandonment.** Occupancy permit applications shall
8 be abandoned 60 days after initial application if, in the opinion of the building official, the
9 occupancy permit has not been diligently pursued.

10 **Exception:** Those buildings acquired from Land Reutilization Authority, in which case
11 said occupancy permit applications shall be abandoned 180 days after initial application
12 was filed.

13 **111.8 Revocation.** The building official is authorized to, in writing, suspend or revoke an
14 occupancy permit or certificate of substantial completion issued under the provisions of this
15 code whenever the permit is issued in error, on the basis of incorrect information supplied, or
16 where it is determined that the building or structure or portion thereof is in violation of any
17 ordinance or regulation or any of the provisions of this code.

18 SECTION 112

19 SERVICE UTILITIES

20 **112.1 Connection of service utilities.** No person shall make connections from a utility,

1 source of energy, fuel, or power to any building or system that is regulated by this code for
2 which a permit is required until released by the building official.

3 **112.2 Temporary connection.** The building official shall have the authority to authorize
4 and approve the temporary connection of the building or system to the utility, source of
5 energy, fuel, or power.

6 **112.3 Authority to disconnect service utilities.** The building official shall have the
7 authority to authorize disconnection of utility service to the building, structure, or system
8 regulated by this code and the referenced codes and standards set forth in Section 102.4 in
9 case of emergency where necessary to eliminate an immediate hazard to life or property or
10 when such utility connection has been made without the approval required by Section 112.1
11 or 112.2. The building official shall notify the serving utility and, wherever possible, the
12 owner and occupant of the building, structure, or service system of the decision to disconnect
13 prior to taking such action. If not notified prior to disconnection, the owner or occupant of
14 the building, structure, or service system shall be notified in writing as soon as practical
15 thereafter.

16 SECTION 113

17 BOARD OF BUILDING APPEALS

18 **113.1 Creation, members, and qualifications.** There is hereby established a Board of
19 Building Appeals consisting of seven members appointed by the Mayor, all of whom shall be
20 residents of the City of Saint Louis; at least one of whom shall be a person engaged in the

1 real estate business, one a Missouri licensed professional engineer, one a Missouri licensed
2 architect, one a building contractor or subcontractor, one a person affiliated with the building
3 and construction trades council, and two shall be citizens-at-large. There shall be four
4 alternates who shall be permitted to be called when it is expected there will not be a quorum
5 present. The alternates shall have all powers, protection, and stipends as the regular board
6 members in accordance with Civil Service provisions. The alternates shall be appointed by
7 the Mayor for four year terms. One alternate shall be a Missouri licensed professional
8 engineer or Missouri licensed architect; the other alternates shall be citizens-at-large.
9 Alternates shall not make up the majority of the Board at any hearing.

10 **113.1.1 Term of office.** New members shall possess the same qualifications as the
11 persons in whose place they are appointed. This is an existing board and no current
12 appointments shall be affected by this ordinance. All subsequent appointments shall be
13 for a term of four years and shall expire on an anniversary of the date of the original term,
14 except appointments to fill vacancies which shall be for the unexpired term. Members
15 whose appointed terms have expired shall be permitted to continue to serve until
16 reappointed or replaced by a new appointee.

17 **113.1.2 Procedures.** The board shall elect one of its members as chairman who shall
18 serve as such during the remainder of the calendar year and until a successor is elected.
19 The board shall from time to time adopt rules and regulations as shall be reasonably
20 necessary to govern its procedure and to carry into effect the provisions of this code.
21 These rules and regulations shall be available for review at the office of the Secretary to

1 the Board during normal working hours. It shall be unlawful for any appellant or
2 appellant's representative to contact any member of the board on any matter that is
3 pending or scheduled to be heard by the board. If a board member is contacted by an
4 appellant on a matter pending before the board other than during a board hearing, that
5 board member must abstain from hearing or voting on the matter, as all testimony must
6 be heard "sworn on the record."

7 **113.1.3 Compensation.** The Board of Building Appeals members shall be compensated
8 for services rendered on a per meeting basis as established by ordinance and subject to
9 budgeted funds availability.

10 **113.2 Meetings; witnesses; minutes to be kept.** Meetings of the board shall be held at the
11 call of the chairman and at such other times as the board by its rules shall be permitted to
12 provide. The chairman, or in the chairman's absence, the acting chairman shall administer
13 oaths. The Board shall act by a majority vote and a quorum shall consist of at least four
14 members. The board shall keep minutes of its proceedings showing the vote of each member
15 on each question, or if absent or failing to vote, indicating such fact, and shall keep records
16 of its examinations of witnesses and other official acts. Transcripts of hearings shall be
17 permitted to be kept in the custody of the court reporter and need not be transcribed unless
18 requested. The party requesting the transcripts shall pay all costs of such transcripts required
19 including a file copy for the board, one for the Building Division, and one for the board's
20 legal staff.

21 **113.3 Types of appeals.** Any person, firm, or corporation aggrieved by a decision of the

1 building official, fire official, or any other board, commission, or other officer exercising
2 their powers under this code or any other code or ordinance assigned to the Division of
3 Building and Inspection shall be permitted to file an appeal when the appellant alleges:

4 1. That there is an error in an order, requirement, decision, or interpretation of the
5 building official, fire official, or of any other board, commission, or other officer in
6 the enforcement of this code;

7 2. That the mode, method, or manner to be followed in the erection or alteration of any
8 building or structure in any specific case before the board is equal to or superior to
9 the mode, method, or manner required by the provisions of this code;

10 3. That the material to be used in this specific case is equal to or superior to the
11 materials required by the provisions of this code;

12 4. That any other board or commission exercising powers under this code or any other
13 code or ordinance assigned to the Division of Building and Inspection wrongfully
14 interpreted the provisions of the code or refused to grant a license, certificate, or
15 permit under the provisions of such code.

16 **Exception:** The Board of Building Appeals has no jurisdiction or authority to hear and
17 decide appeals on matters covered under the Americans With Disabilities Act, the Zoning
18 Ordinance, and Cultural Resources Ordinance.

19 However, an application for occupancy, alteration, or repair of an existing building or
20 structure which involves a change of occupancy or change of use group whereupon
21 accessibility requirements apply, the building official's determination of change of
22 occupancy or use group shall be allowed to be appealed to the Board of Building

1 **Appeals.**

2 **113.3.1 Criteria for issuance of a variance for flood hazard areas.** A variance shall
3 only be issued upon:

- 4 1. A showing of good and sufficient cause that the unique characteristics of the size,
5 configuration, or topography of the site render the elevation standards
6 inappropriate.
- 7 2. A determination that failure to grant the variance would result in exceptional
8 hardship by rendering the lot undevelopable.
- 9 3. A determination that the granting of a variance will not result in increased flood
10 heights, additional threats to public safety, or extraordinary public expense or
11 create nuisances, cause fraud on or victimization of the public, or conflict with
12 existing local laws or ordinances.
- 13 4. A determination that the variance is the minimum necessary to afford relief
14 considering the flood hazard.
- 15 5. Submission to the applicant of written notice specifying the difference between
16 the design flood elevation and the elevation to which the building is to be built,
17 stating that the cost of flood insurance will be commensurate with the increased
18 risk resulting from the reduced floor elevation, and stating that construction
19 below the design flood elevation increases risks to life and property.

20 **113.4 Filing date.** Unless otherwise specified in other sections of this code, appeals shall be
21 filed within 30 calendar days after the decision of the building official, fire official, or any

1 other board, commission, or other officer exercising their powers under this code or any other
2 code or ordinance assigned to the Division of Building and Inspection is rendered; however,
3 no such appeal shall be taken from any order or ruling wherein responsibility lies with the
4 Board of Adjustment as established by the Zoning Ordinance or with any other board as
5 established by the Revised Code of the City of Saint Louis.

6 **Exception:** Condemnation appeals shall be filed within ten calendar days of the date on
7 the Notice of Condemnation as described in Section 119.8.

8 **113.5 Manner and fee for filing appeals.** Appeals shall be taken by filing with the
9 Secretary to the Board a notice of appeal on such forms as prescribed by the Board of
10 Building Appeals specifying the grounds thereof, and the secretary shall immediately
11 transmit to the board such notice and all papers constituting the record upon which the action
12 appealed from is taken. The notice of appeal shall be accompanied by a fee of \$150.00.

13 **113.5.1 Waiver of appeal fees.** In the event the Secretary to the Board receives a written
14 claim of indigence and a request for a fee waiver, the request shall be referred to the City
15 Counselor's Office for approval or denial and that decision shall be final. A copy of that
16 decision shall be kept on file.

17 **113.5.2 Multiple appeals.** In the event that more than one building, structure, or
18 premises owned by the same person, firm, or corporation has been cited for exactly the
19 same violation and the owner has filed an appeal with the board disputing the same
20 citation, the appellant shall be permitted to file one appeal covering all said buildings,
21 structures, or premises and be charged one appeal fee. The decision rendered by the

1 board shall apply to all buildings, structures, or premises involved in the appeal.

2 **113.5.3 Board hearings; notification.** After an appeal has been filed, the Secretary to
3 the Board shall place the appeal on a board hearing agenda and the appellant shall be
4 notified in writing by certified mail prescribing the time, date, and location of the hearing
5 not less than seven days prior to said hearing. Such hearing shall be held within a
6 reasonable time after the filing of the notice of appeal, depending on the scheduling of
7 other appeals.

8 **113.6 Appeals to stay proceedings; exceptions.** Appeals shall stay all proceedings in
9 furtherance of the action appealed from unless the building official or fire official certifies to
10 the Board of Building Appeals after the notice of appeal has been filed that, by reason of the
11 facts stated in the certificate, a stay would cause imminent peril to life or property.
12 Proceedings shall not otherwise be stayed except by restraining order.

13 **113.7 Jurisdiction of the board.** The Board of Building Appeals is hereby empowered to
14 hear and decide appeals in all matters described in Section 113.3

15 **113.7.1 Board decisions; notification.** The board shall enter its order and decision after
16 hearing, affirming, modifying, or reversing the order, requirement, interpretation, ruling,
17 or decision of the building official in whole or in part. The board shall be permitted to
18 require conditions or restrictions as necessary to assure that the activity complies with the
19 intent of this code or as the board deems appropriate. If the appellant fails to appear at
20 the prescribed time and location of the hearing and it has been determined that notice of

1 the hearing was received, the appeal shall be dismissed and the original order,
2 requirement, interpretation, ruling, or decision of the building official shall be affirmed.
3 A final decision, when used in this section, shall mean a decision rendered by the Board
4 of Building Appeals. The board shall, upon rendering its final decision, notify the
5 appellant of its order and final decision by mail. The appellant shall be deemed to have
6 received the final decision three days after the final decision has been deposited in the
7 United States mail with proper postage. The board shall forward its order and decision to
8 the building official, fire official, or any other board, commission, or officer exercising
9 their powers under this code in writing and place a copy of the decision in its files. There
10 shall be no rehearing or reopening of that file by the board except where the board has
11 required conditions or restrictions and it is to be determined whether the conditions or
12 restrictions have been met. No information concerning any decision reached by the board
13 shall be made public except to the appellant until that decision has been signed and the
14 appellant has first been formally notified.

15 **113.7.2 Generic decisions.** In the event that the Building Commissioner finds that a
16 specific decision of the Board of Building Appeals would be helpful in the continued
17 administration of this code if it were made to be generically applicable, the Building
18 Commissioner shall be permitted to petition the board in writing requesting that the
19 decision of a specific case be made generically applicable, in part or in whole, without
20 the need for individual appeals and shall become a part of the policy of the Division of
21 Building and Inspection. This request must be made within 180 calendar days of the
22 rendering of the decision. The board shall only affirm or deny such petition.

1 **113.7.3 Conditional decisions; method of rehearing.** When the Board of Building
2 Appeals enters a conditional decision modifying or reversing an order of the building
3 official and grants additional time to correct the violation(s), the board shall grant no
4 more than 90 days. Additional time shall be permitted to be granted if, in the opinion of
5 the building official, sufficient progress is being made to correct the violation(s). In the
6 event insufficient progress is being made to correct the violation(s) in the allotted time,
7 the case shall be referred back to the Board of Building Appeals to show cause why the
8 conditions set by the board have not been met and why the building official's original
9 order or decision should not be affirmed. In the event of such referral back to the board,
10 notification to the appellant prescribing the date, time, and location of said hearing shall
11 be the same as that described in Section 113.5.3.

12 **113.8 Appeals from decisions of the board.** Any person(s) jointly or severally aggrieved by
13 the decision of the Board of Building Appeals shall be entitled to a judicial review of the
14 decision rendered by the Board of Building Appeals as provided in the Administrative
15 Procedure and Review Act of the State of Missouri, being Sections 536.100 - 536.140 of the
16 Revised Statutes of Missouri.

17 **113.9 Hearing officer.** The Board of Building Appeals shall have the right to appoint a
18 hearing officer to hear and render a decision on any appeal filed with the Board of Building
19 Appeals.

20 **113.9.1 Qualification.** The hearing officer shall be an attorney and on an approved list
21 of attorneys who have administrative law experience. The Director of Public Safety shall

1 compile and maintain said list.

2 **113.9.2 Rights and duties.** The hearing officer shall have such rights, responsibilities,
3 and duties as the Board of Building Appeals and the appellants shall have the same rights
4 as an appellant appearing before the Board of Building Appeals, including the right to
5 appeal pursuant to Missouri's Administrative Procedure and Review Act.

6 **SECTION 114**

7 **VIOLATIONS**

8 **114.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to grade for,
9 excavate for, erect, construct, alter, extend, repair, move, remove, demolish, or occupy any
10 building, structure, premises, or equipment regulated by this code or cause same to be done
11 in conflict with or in violation of the provisions of this code or any decision or order of the
12 Board of Building Appeals.

13 **114.2 Notice of violation.** The building official is authorized to serve a notice of violation
14 or order on the owner as shown in the records of the City of Saint Louis Assessor's Office or
15 on the person responsible for the grading, excavating, erection, construction, alteration,
16 extension, repair, moving, removal, demolition, or occupancy of a building, structure, or
17 premises in violation of the provisions of this code, or in violation of a detail statement or
18 construction documents approved hereunder, or in violation of a permit or certificate issued
19 under the provisions of this code. Such order shall direct the discontinuance of the illegal
20 action or condition and the abatement of the violation. Such notice shall be permitted to be

1 served by the United States mail. Posting of the premises shall also constitute notice. It shall
2 be a violation of this code for any person to remove any such notice lawfully posted pursuant
3 to this code unless otherwise ordered by the building official.

4 **114.2.1 Investigation of records.** Upon the receipt of a written request from the owner
5 of the property, or the real estate agent for the property, or the attorney, architect, or
6 engineer representing the owner of the property, the Permit Section Supervisor shall ask
7 the various Building Division sections for copies of any existing violation letters
8 concerning the property. If the request is not on the owner's letterhead, a notarized
9 authorization from the owner must be submitted.

10 The response letter written by the permit section supervisor shall list any known
11 violations and must contain the following statement: "This letter does not certify that
12 there are no actual existing violations of the ordinances for which the Division of
13 Building and Inspection is responsible. To determine if there are any violations of any
14 ordinances, an application for an occupancy permit must be filed in accordance with
15 Section 111.5 and the subsequent inspections completed. This letter does certify there
16 are no existing letters of violation on record other than those attached herein. There will
17 be a \$25 fee charged for this service. Five working days will be allowed to respond to
18 this request."

19 **114.3 Prosecution of violation.** If the notice of violation is not complied within the time
20 prescribed by such notice, the building official is authorized to request the legal counsel of
21 the City of Saint Louis to institute the appropriate proceeding at law or in equity to restrain,

1 correct, or abate such violation or to require the removal or termination of the unlawful
2 occupancy of the building, structure, or premises in violation of the provisions of this code or
3 of the order or direction made pursuant thereto.

4 **114.4 Violation penalties.** Any person who violates a provision of this code or fails to
5 comply with any of the requirements thereof or who erects, constructs, alters, or repairs a
6 building or structure in violation of the approved construction documents or directive of the
7 building official or of a permit or certificate issued under the provisions of this code shall be
8 subject to penalties as prescribed by law.

9 **114.5 Abatement of violation.** The imposition of penalties as set forth in Section Four of
10 the adopting ordinance shall not preclude the legal officer of the City of Saint Louis from
11 instituting appropriate action to prevent unlawful construction; to restrain, correct, or abate a
12 violation; to prevent illegal occupancy of a building, structure, or premises; or to stop an
13 illegal act, business, or use.

14 **SECTION 115**

15 **STOP WORK ORDER**

16 **115.1 Authority.** Whenever the building official finds any work regulated by this code
17 being performed in a manner contrary to the provisions of this code or in a dangerous or
18 unsafe manner, the building official is authorized to issue a stop work order.

19 **115.2 Issuance.** The work order shall be in writing and shall be given to the owner of the

1 property involved, or to the owner's agent, or to the person doing the work. Upon issuance of
2 a stop work order, the cited work shall immediately cease. The stop work order shall state
3 the reason for the order and the conditions under which the cited work will be permitted to
4 resume.

5 **115.3 Emergencies.** When an emergency exists, the fire official shall not be required to give
6 a written notice prior to stopping the work.

7 **115.4 Unlawful continuance.** Any person who shall continue any work in or about the
8 building, structure, or premises after having been served with a stop work order, except such
9 work as they are directed to perform to remove a violation or unsafe condition, shall, upon
10 conviction thereof, be subject to the penalties as set forth in Section Four of the adopting
11 ordinance. Each day that a violation continues shall constitute a separate and distinct
12 offense.

13 **SECTION 116**

14 **UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT**

15 **116.1 Conditions.** Buildings, structures, or equipment that are or hereafter become unsafe,
16 unsanitary, or deficient because of inadequate means of egress, facilities, or light and
17 ventilation; which constitute a fire hazard; are otherwise dangerous to human life or the
18 public welfare; or which involve illegal or improper occupancy or inadequate maintenance
19 shall be deemed unsafe. Unsafe buildings or structures shall be taken down and removed or
20 made safe as the building official deems necessary and as provided for in this section. A

1 vacant structure that is not secured against entry shall be deemed unsafe.

2 **116.2 Record.** The building official shall cause a report to be filed on an unsafe condition.

3 The report shall state the occupancy of the structure and the nature of the unsafe condition.

4 **116.3 Notice.** If an unsafe condition is found, the building official shall serve on the owner,

5 agent, or person in control of the building or structure a written notice that describes the

6 condition deemed unsafe and specifies the required repairs or improvements to be made to

7 abate the unsafe condition, or that requires the unsafe structure to be demolished within a

8 stipulated time. Such notice shall require the person thus notified to declare immediately to

9 the building official acceptance or rejection of the terms of the order.

10 **116.4 Method of service.** Such notice shall be deemed properly served if a copy thereof is

11 (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the

12 owner at the last known address with the return receipt requested; or (c) delivered in any

13 other manner as prescribed by local law. If the certified or registered letter is returned

14 showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous

15 place in or about the structure affected by such notice. Service of such notice in the

16 foregoing manner upon the owner's agent or upon the person responsible for the structure

17 shall constitute service of notice upon the owner.

18 **116.5 Restoration.** Where the building, structure, or equipment determined to be unsafe by

19 the building official is restored to a safe condition to the extent that repairs, alterations, or

20 additions are made or a change of occupancy occurs during the restoration of the structure,

1 such repairs, alterations, additions, or change of occupancy shall comply with the
2 requirements of Section 105.2.2 and the Existing Building Code.

3 **SECTION 117**

4 **PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES**

5 **117.1 Responsibilities.** The provisions of this section shall define the construction controls
6 required for buildings involving professional architectural or engineering services and
7 delineate the responsibilities of such professional services during construction.

8 **117.1.1 Design.** All design for new construction, alteration, repair, expansion, addition,
9 or modification work involving the practice of professional architecture or engineering as
10 defined by the statutory requirements of the professional licensing laws of the State of
11 Missouri shall be prepared by licensed design professionals certified by the Missouri
12 Board for Architects, Professional Engineers, Professional Land Surveyors and
13 Professional Landscape Architects. All construction documents required for a building
14 permit application for such work shall be prepared by or under the direct supervision of a
15 Missouri licensed design professional and bear their seal, signature, and date in
16 accordance with the State's statutes and regulations governing the professional licensing
17 and certification of architects, professional engineers, professional land surveyors, and
18 professional landscape architects.

19 **117.1.2 Review.** The Missouri licensed design professional whose seal is on the
20 approved construction documents shall be responsible for review of shop drawings and

1 samples as required by the approved construction documents and for approval for
2 conformance to the design concept and this code. This review process shall be permitted
3 to be contracted by the owner to another Missouri licensed design professional should the
4 original design professional not desire to provide such services.

5 **117.1.3 Application of seal, signature, and date.** All construction documents
6 submitted with an application for a building permit shall comply with Section 107.1.1.

7 **117.1.4 Reproduction of sealed documents.** Construction documents sealed by a
8 Missouri licensed design professional shall not be reproduced for anyone, other than the
9 owner, without the expressed written permission of Missouri licensed design professional
10 who sealed said documents, or as ordered by a court of law.

11 **117.2 Special professional services.** When applications are filed for unusual designs or
12 magnitude of construction which require construction document review or inspection
13 services beyond the capacity of the building official's staff or where Referenced Standards
14 require special architect or engineer inspections, the building official shall be permitted to
15 require the owner to retain a properly qualified Missouri licensed design professional to
16 perform the services necessary for code compliance in addition to that provided in Section
17 117.1.2. This project representative shall keep daily records and submit reports as required
18 by the building official. Upon completion of the work, the Missouri licensed design
19 professional shall file a final report indicating whether or not all required inspections were
20 performed and listing pertinent deviations from the building code requirements or from the
21 approved construction documents and the source of authority for such deviations.

117.2.1 Building permit requirement. The necessity for special professional services shall be determined prior to issuance of the building permit unless waived to a later date by the building official. Refusal by the applicant to provide such services as required by the building official shall result in the denial of the permit.

117.2.2 Fees and costs. All fees and costs related to the performance of special inspection services shall be borne by the owner.

117.2.3 Visits to site. When so directed by the building official or when required by the special inspection provisions of this code, the Missouri licensed design professional shall make visits to the site at intervals appropriate to the stage of the construction to observe the progress and quality of the work; to observe construction components requiring controlled materials or construction as specified in Chapter 44, Referenced Standards; and to determine if the work is proceeding in accordance with the construction documents approved for the building permit. The Missouri licensed design professional shall periodically submit reports to the building official showing the results of such periodic visits.

SECTION 118

WORKMANSHIP

118.1 General. All work shall be conducted, installed and completed in a neat, workmanlike and acceptable manner so as to secure the results intended by this code.

1

2

3

- 4

- 1 4. The building or structure lacks safe or adequate facilities for means of egress in case
2 of fire or panic;
- 3 5. The building or structure has any one or more of the following conditions:
 - 4 5.1 Improperly distributed loads upon the floors or roof;
 - 5 5.2 Overloaded floors or roofs;
 - 6 5.3 Insufficient strength to be reasonably safe for its actual or intended use;
- 7 6. Any portion of the building or structure has been so damaged by fire, earthquake,
8 wind, flood, vandalism, malicious mischief, or any other cause, that the building or
9 structure is no longer safe or suitable for its actual or intended use;
- 10 7. Any interior or exterior portion, member, appurtenance, ornamentation, or any other
11 component of the building or structure is likely to fall or collapse, or become
12 detached or dislodged and thereby injure persons or damage property;
- 13 8. Any portion of the building or structure has racked, warped, buckled, or settled to
14 such an extent that its walls or other structural portions have insufficient resistance to
15 fire, earthquake, wind, flood, or similar perils;
- 16 9. Part or all of the building or structure is in danger of collapsing for any reason;
- 17 10. The building or structure has exterior walls or other vertical structural members
18 which list, lean, or buckle;
- 19 11. The building, structure, or premises or any portion thereof is, for any reason, unsafe
20 for its actual or intended use;
- 21 12. The building or structure has been so damaged by fire, earthquake, wind, flood,
22 vandalism, malicious mischief, or any other cause or has become so dilapidated,

- 1 deteriorated, or decayed as to come within any one or more of the following
2 categories:
- 3 12.1 The building or structure will attract and result in harm to children;
4 12.2 The building or structure is, or is likely to become, a harbor for vagrants or
5 criminals;
6 12.3 The building or structure enables persons to resort thereto for the purpose of
7 committing unlawful acts;
- 8 13. The building, structure, or premises has been constructed, exists, or is being
9 maintained in violation of any provisions of this code or of any law of the City of
10 Saint Louis;
- 11 14. The building or structure does not have the strength, fire-resisting qualities or
12 weather-resisting qualities required by this code for newly constructed buildings of
13 like area, height, and occupancy;
- 14 15. The building, structure, or premises is used or intended to be used for purposes that
15 are likely to injure the health, safety, or welfare of persons who occupy or could
16 occupy said building or structure by reason of any one or more of the following
17 conditions:
- 18 15.1 Inadequate maintenance, dilapidation, deterioration, decay, or damage;
19 15.2 Faulty construction;
20 15.3 Inadequate light, ventilation, or sanitation facilities;
21 15.4 The building, structure, or premises is being used for any illegal purposes;
- 22 16. Any portion of the building or structure has been left remaining on a site after its

1 demolition or destruction;

2 17. The building or structure is vacant for a period in excess of six months and because
3 of its condition is unsafe, unsanitary, or endangers property or public health, safety,
4 or welfare;

5 18. The building or structure is vacant and has been ordered secure or has been secured
6 by order of the building official for a period in excess of twelve months and has been
7 condemned for occupancy or has been used in the commission of a crime subsequent
8 to being ordered secured or being secured.

9 19. The building or structure is only partly constructed and construction has stopped for a
10 period in excess of six months, and because of its condition, affects the health, safety
11 and welfare of the adjacent properties.

12 20. Any building or storage used for the manufacture or storage of methamphetamine,
13 lysergic acid diethylamide, phencyclidine, gamma hydroxybutyrate, or flunitrazepam.

14 21. The existence of a continuing and dangerous condition of property due to the
15 distribution of synthetic drugs, modified synthetic products, or other modified
16 products as has been substantiated by code enforcement or law enforcement
17 authorities.

18 **119.1.1 Evacuation order; failure to comply.** Any person who refuses to leave,
19 interferes with the evacuation of other occupants, or continues any operation after having
20 been given an evacuation order by the building official, except such person(s) directed to
21 perform work to remove a violation or unsafe condition, shall be deemed in violation of
22 this section whereupon it shall be the duty of the Police Department to immediately

1 remove such person from said building, structure, or premises and prevent anyone from
2 re-entering the building, structure, or premises until such time that the Police Department
3 shall have been notified by the Division of Building and Inspection that the same is in a
4 safe condition. Any person who shall violate this section shall be guilty of a
5 misdemeanor and subject to the penalties as set forth in Section Four of the adopting
6 ordinance.

7 **119.1.2 Dangerous conditions.** Whenever the building official shall find any building,
8 structure or premises in such a condition that it presents a safety hazard, but not
9 dangerous enough to warrant condemnation and demolition, and repair is relatively small
10 in relation to the building as a whole, the building official shall post a sign on the
11 premises which reads as follows:

12 **WARNING**
13 **ALL PERSONS ARE WARNED TO**
14 **USE EXTREME CAUTION IN OR**
15 **AROUND THESE PREMISES**

16 Additionally, a letter shall be posted indicating those conditions in violation of this
17 code and a copy of said letter shall be mailed to the owner(s) of said building, structure,
18 or premises.

19 **119.2 Service of notice.** The notice to the owner(s) of the building, structure, or premises
20 found by the building official to be in violation of this code shall be directed to the owner(s)

1 of such building, structure, or premises as recorded most recently in the City of Saint Louis
2 Assessor's Office. The notice shall be served in one of the following ways:

- 3 1. Delivering directly to owner(s).
- 4 2. Posting a copy of said notice upon the building, structure, or premises.
- 5 3. Mailing a copy of said notice by regular mail, postage prepaid, direct to owner(s)'
- 6 place of business or the address currently recorded in the Assessor's Office of the
- 7 City of St. Louis.
- 8 4. Publication in a newspaper of general circulation in the City of Saint Louis.

9 **119.2.1 Posting copy of notice.** In case such building, structure, or premises is in the
10 occupancy of a tenant(s), in addition to the above notice it shall be the duty of the
11 building official to post a copy of such notice upon said building, structure, or premises.

12 It shall be a violation of this code for any person to remove any notice or copy thereof
13 lawfully posted pursuant to this code unless otherwise ordered by the building official.

14 **119.3 Failure to comply; authority to enter into contracts.** If the owner(s) fail to comply
15 with the order of the building official by the date indicated in the Notice of Condemnation
16 and in such a manner that can be approved by the building official, then such owner(s) shall
17 have violated this code and the building official shall be permitted to forthwith proceed to
18 undertake and complete whatever work is necessary to eliminate the dangerous condition.
19 The Building Commissioner shall have the authority to enter into contracts with no other
20 review, signature, or approval (except for insurance) from any other City agency. Such
21 contracts shall be permitted to include, but not be limited to, demolition, environmental

1 investigation, remedial work, professional, or contractual services. Competitive bids shall
2 not be required for emergency situations where there is a danger to life or property. The cost
3 of such work performed by the building official under the provisions of Sections 119 or 120
4 shall be paid for by the City of Saint Louis. The building official shall certify to the
5 Comptroller the cost of such work including the administrative costs incurred by the Division
6 of Building and Inspection in performing said work, but in no event shall such administrative
7 costs exceed ten percent of the contract price incurred by the Division of Building and
8 Inspection in performing such work. The Comptroller, upon certification by the building
9 official of the cost expended for said work, shall prepare bills for such work against the
10 owner(s) of said building, structure, or premises. In case said bills are not paid upon
11 presentation, they shall be referred to the City Counselor, who shall proceed to collect same
12 by suit or lien if necessary, and the amounts when collected shall be credited to a special
13 revolving fund for the purposes herein designated.

14 **119.3.1 Secured buildings.** For a building or structure to be “secured” in those cases in
15 which securing is specifically required by this code, a covering shall be placed over all
16 doors, windows, or other openings at the first floor level; all doors and windows that are
17 accessible from any porch, service stair, or fire escape; and all basement or cellar
18 windows. This cover shall consist of not less than $\frac{3}{8}$ inch plywood or other such material
19 approved by the building official attached to the framing of all such doors and windows
20 by wood screws, or any other material approved by the building official, of a minimum
21 length of $1\frac{1}{2}$ inches, placed not more than twelve inches on center. Such plywood or
22 other such material approved by the building official shall be painted with a minimum of

1 two coats of exterior grade paint of a brick red or other color which is approved by the
2 building official. It shall be the duty and responsibility of the building official to re-enter
3 any premises or building or portion thereof that has previously been secured and boarded
4 either by the City of Saint Louis or any other party when, in the opinion of the building
5 official, there is reason to believe that there happens to be new or additional violations of
6 this code. The building official shall not be held responsible for any damage to the
7 building, structure, or premises caused by the act of securing.

8 **119.3.2 Reentry of secured buildings.** The occupancy of any building or structure
9 which has been ordered secured or has been secured by order of the building official shall
10 be prohibited until the owner of said building or structure obtains a certificate of
11 inspection or an occupancy permit from the building official. Work performed on any
12 building or structure as a prerequisite to a certificate of inspection shall not be considered
13 occupancy of said building or structure.

14 **119.4 Building not to be rented or leased.** No owner or agent of the owner of any building,
15 structure, or premises, after notice from the building official that such building, structure, or
16 premises is unsafe or dangerous, shall rent or lease the same or any part thereof or collect any
17 rent therefor until such building, structure, or premises has been placed in a safe and secure
18 condition. The building official shall be permitted to require an occupancy permit to be
19 issued prior to occupancy or re-occupancy. Any person found guilty of violating the
20 provisions of this section shall be subject to the penalties as set forth in Section Four of the
21 adopting ordinance regarding fine and imprisonment. Each day that a violation continues

1 constitutes a separate and distinct offense.

2 **119.5 Cost; method of payment; lien; penalty.** The building official shall have the
3 authority to require any violator of this code to correct, remove, or abate any condition
4 caused or permitted by them in violation of this code; and the building official shall be
5 permitted to correct, remove, or abate the same upon their failure to comply with the
6 requirements of this code when the public interest so requires. For all emergency condemned
7 buildings or structures, the building official shall have the authority to receive and publicly
8 open bids and award the contract to the lowest qualified bidder meeting the specifications
9 without first sending said contract to the Comptroller. These contracts shall be signed by the
10 Building Commissioner and countersigned by the Director of Public Safety and shall have
11 the full effect of a city contract. All costs attending such action in such cases shall be paid
12 from the appropriate fund as provided in Section 119.3 and then collected from the party
13 offending as therein provided. A lien for such costs shall be placed against the property
14 whereon such violation was permitted to exist. The cost shall also be certified to the
15 Collector of Revenue or other official collecting real estate taxes, who shall cause a special
16 tax bill against the property to be prepared and collected in the same manner and procedures
17 as other real estate tax bills. Said special tax bill shall be deemed a personal debt against the
18 property owner(s) and shall also be a lien on the property until paid. These bills or liens shall
19 not be forgiven except by the City Counselor, who shall, in writing, instruct the building
20 official to forgive such bills or liens. Further, board-up and demolition bills shall be
21 permitted to be waived when ownership of said property for which the bill or lien was issued
22 is accepted by Land Reutilization Authority, Saint Louis Development Corporation, or any

1 other City agency. Any person, firm or corporation who shall refuse or neglect to comply
2 with the provisions of this section or who shall violate any of the provisions thereof shall be
3 subject to the penalties as set forth in Section Four of the adopting ordinance. In addition,
4 any payments deemed to be in arrears shall be subject to interest charges at a rate set by the
5 Comptroller.

6 **119.5.1 Prohibited expenditures.** The building official shall not expend any monies for
7 demolition of buildings owned by Land Reutilization Authority, Operation Impact, Saint
8 Louis Development Corporation, Port Authority, or any other governmental agency
9 except in emergency situations where immediate action is required to preserve public
10 health, safety, and welfare.

11 **119.6 Vacation of buildings; duties of police; penalty.** Upon effecting condemnation of
12 any building, structure, or premises by the building official, it shall be unlawful for any
13 person to enter or remain in or on such building, structure, or premises until such time as the
14 Police Department shall have been notified in writing by the building official that the same is
15 in a safe condition. It shall be the duty of the Police to remove any person from such
16 building, structure, or premises so condemned and to prevent any person from entering same
17 until such time as the Police Department shall have been notified in writing by the building
18 official that such building, structure, or premises is in compliance with this code. The
19 provisions of this section shall not apply to licensed security guards or persons directly
20 employed in securing the building, structure, or premises or otherwise abating the conditions
21 causing the condemnation. Any violation of this section of the code shall be subject to the

1 penalties as set forth in Section Four of the adopting ordinance.

2 **119.7 Removal of decayed or unsafe trees.** Whenever it shall come to the knowledge of
3 the Forestry Commissioner that any tree on private property is in such a decayed or
4 dangerous condition as to endanger the lives of persons or is likely to cause immediate
5 damage to the property of others, the Forestry Commissioner shall cause said tree to be
6 removed or cause such dangerous conditions to be remedied by the owner of the property
7 whereon it is situated. The powers and duties of the Forestry Commissioner in respect to any
8 such tree, the notice to the owner of the property whereon it is located, the cost of its removal
9 or remedying the dangerous condition caused thereby, the lien of such cost, the method of its
10 collection, the penalties to be incurred by the owner, and the procedure to be followed by the
11 Forestry Commissioner shall, as nearly as practicable, be those prescribed by this section in
12 respect to the building official's procedures for buildings and other structures which are in a
13 dangerous condition.

14 If the Forestry Commissioner cannot secure removal of the dangerous tree by Forestry
15 Division forces or by response of the owner to the Forestry Division notice, the Forestry
16 Commissioner shall be permitted to request the assistance of the building official in
17 condemning the tree and securing removal after emergency or public bid by private
18 contractors resulting in a City of Saint Louis contract to remove the tree.

19 The condemnation, if appealed to the Board of Building Appeals, shall require the
20 defense testimony of Forestry Division personnel knowledgeable about trees.

21 The Building Division shall be permitted to make available for tree removal contracts on
22 private property a sum not to exceed five percent of the first two hundred thousand dollars of

1 general fund demolition monies appropriated in a fiscal year, in addition to not more than
2 three percent of any appropriated amount over \$200,000. The Forestry Division will prepare
3 bid specifications and receive, process, and award such contracts billable to the Building
4 Division demolition account subject to the dollar limits above. This procedure is for dead or
5 dangerous trees on private property only and is not for encroachments, trimming, pruning, or
6 other concerns.

7 **119.8 Appeal.** Any person aggrieved by the decision of the building official pursuant to
8 Sections 119.1 through 119.7 shall be permitted to appeal such decisions to the Board of
9 Building Appeals within ten calendar days of the date on the Notice of Condemnation. The
10 Condemnation Committee of the Board of Building Appeals, selected by the chairman, shall
11 hear said appeal and render its decision affirming, modifying, or reversing the decision of the
12 building official and, to such end, shall possess all the powers on appeal granted the building
13 official under Sections 119.1 through 119.7. Such decision shall be subject to the procedures
14 and review provided by the Administrative Procedure and Review Act of the State of
15 Missouri. Filing of an appeal of any portion of Sections 119.1 through 119.7 does not stay
16 any action provided in these sections.

17 **119.9 Penalties.** If the owner(s) fail to repair, demolish, or otherwise comply a building,
18 structure, or premises as ordered by the Notice of Condemnation of the building official
19 pursuant to Section 119.2 either within the seven day period specified in Section 119.1 or
20 within ten days after any appeal from said notice as provided in Section 119.8 is finally
21 adjudicated adversely to said owner(s), then said owner(s) shall be guilty of a violation of

1 this Section and shall, upon conviction thereof, be subject to penalties as set forth in Section
2 Four of the adopting ordinance. Each day that any violation continues shall constitute a
3 separate and distinct offense.

4 **119.10 Responsibility of ownership.**

5 1. Disclosure: It shall be unlawful for any seller or grantor to convey, give, or transfer
6 property to any buyer or grantee without first disclosing in writing to the buyer or
7 grantee the existence of all Notices of Condemnation or any other violations of this
8 code. The grantor shall keep and make available for inspection by the building
9 official such disclosure signed by the grantee for a period of one year from the
10 conveyance, gift, or transfer.

11 2. Liability to prosecution and conviction: Any person shall be permitted to be
12 prosecuted and convicted for violation of Section 119.1.1, notwithstanding that said
13 person has not been given the notice specified in Section 119.1, provided that the
14 building, structure, or premises in question had one or more of the defects described
15 in Section 119.1 during the period that said person was responsible for said building,
16 structure, or premises as owner, corporate officer, partner, or otherwise, and provided
17 further that said prosecution is commenced during the one year period after said
18 person ceased to be so responsible.

19 3. Liability to suit and judgment: Any person shall be permitted to be sued by and held
20 liable to the City of Saint Louis, as provided in Section 119.3, for funds expended by
21 the City of Saint Louis pursuant to said section, notwithstanding that said person has
22 not been given the notice specified in section 119.1, provided that the building,

1 structure, or premises in question had one or more of the defects described in said
2 section during the period that said person was responsible for said building, structure,
3 or premises as owner, corporate officer, partner, or otherwise, and provided further
4 that said suit is commenced during the one year period after said person ceased to be
5 so responsible.

6 Owner(s) are presumed by law to know the conditions of their property whether
7 or not such notice was given. Notices sent to the address of the owner(s) shown on
8 the City of Saint Louis Assessors Office records on the date sent shall constitute legal
9 notice in accord with Section 119.2.

10 **119.11 Dangerous, hazardous, unsanitary, or unapproved plumbing, mechanical, and**
11 **electrical installations.** The building official shall have the authority to seal out of service
12 the items listed below when, in the building official's opinion, any of these items are in an
13 unsafe, hazardous, or unsanitary condition; if a Certificate of Inspection has not been issued
14 by the building official; or if the installation was made without obtaining the necessary
15 permit(s):

- 16 1. Plumbing equipment, fixtures, piping, devices, and appurtenances covered by the
17 Building and Plumbing Codes;
- 18 2. Mechanical equipment, devices, and appurtenances covered by the Building and
19 Mechanical Codes.
- 20 3. Electrical equipment, fixtures, devices, wiring, and appurtenances covered by the
21 Building and Electrical Codes;

1 **119.11.1 Notice of sealing out of service.** Before sealing any device out of service, the
2 building official, except in cases of emergency, shall serve seven days written notice
3 upon the building owner(s) or occupant(s) by United States mail stating intention to seal
4 the equipment out of service and the reasons therefore. Notice shall be permitted to
5 alternately be served by posting upon or immediately adjacent to the device proposed to
6 be sealed.

7 **119.11.2 Unlawful to remove or tamper with seal.** Any device sealed out of service by
8 the building official shall be plainly marked with a sign or tag indicating such sealing and
9 any defacing or removal of the sign or tag, any tampering with or removal of the seal
10 without approval of the building official, or operation of the sealed unit shall constitute a
11 violation of this code and shall subject the violator to the penalties as set forth in Section
12 Four of the adopting ordinance.

13 **119.12 Cancellation of condemnation.** The building official shall have authority to cancel
14 prior condemnations either for defects or for occupancy. A condemnation shall be permitted
15 to be rescinded by the building official only after, in the official's opinion, all necessary
16 repairs are made to such building, structure, or premises or otherwise compliance is obtained
17 with the building official's orders to make such building, structure, or premises safe or
18 occupiable and defects noted have been corrected.

19 **119.12.1 Notice of cancellation of condemnations.** Upon cancellation of a
20 condemnation, a notice shall be directed to the owner(s) of the building, structure, or
21 premises stating that the condemnation has been canceled. The service of such notice

1 shall be done in the same manner as provided for in Section 119.2.

2 **119.13 Vacant building inspection.** The building official shall cause to be inspected any
3 property that potentially is subject to the registration fee as established in Section 109.2.12.
4 The inspecting officer shall report his findings and it shall be determined whether any such
5 property shall be subject to the registration fee by the city. Within five business days of such
6 determination, the building official shall notify by mail the owners of property on which the
7 registration fee has been levied at the last known address according to the records of the
8 Office of the Assessor. The property owner shall have the right to appeal the decision of the
9 building official to the municipal court within 30 days of such notification. Absent the
10 existence of any valid appeal or request for reconsideration the registration fee shall begin to
11 accrue on the beginning of the second calendar quarter after the decision of the building
12 official.

13 **119.13.1 Reconsideration.** Should the property owner, within 30 days of the building
14 official making such notification, complete any improvements to the property that would
15 be necessary to revoke the levy of the registration fee, they shall request a reinspection of
16 the property and a reconsideration of the levy of the registration fee by the city. If the
17 building official revokes the registration fee, no such assessment shall be made and the
18 matter shall be considered closed. If the building official affirms the assessment of the
19 registration fee, the property owner shall have the right to appeal the reconsideration
20 decision to the municipal court within thirty days of such decision. Absent the existence
21 of any valid appeal to the municipal court or other court of competent jurisdiction, the

1 registration fee shall begin to accrue on the beginning of the second calendar quarter after
2 the reconsideration decision of the building official.

3 **119.13.2 Payment and penalties.** The building official shall establish procedures for the
4 payment of the registration fee and penalties for delinquent payment of such fees. Any
5 registration fees which are delinquent for a period of one year shall become a lien on the
6 property and shall be subject to foreclosure proceedings in the same manner as
7 delinquent real property taxes. The owner of the property against which the assessment
8 was originally made shall be able to redeem only by presenting evidence that the
9 violations cited by the building official have been cured and presenting payment of all
10 registration fees and penalties. Upon bona fide sale of the property to an unrelated party
11 said lien shall be considered released and the delinquent registration fee forgiven.

12 **SECTION 120**

13 **EMERGENCY MEASURES**

14 **120.1 Procedure.** When, in the opinion of the building official, a building, structure, or
15 premises poses an immediate or imminent danger to the public health, safety, or welfare as
16 defined in Section 119.1, the building official shall order the immediate evacuation and
17 securing of said building, structure, or premises and shall be permitted to order all utilities to
18 be disconnected without sending a notice. Each principle entrance shall be posted with a
19 notice which reads as follows:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

16
17
18
19
20

21

DANGER

THIS PREMISES IS UNSAFE AND HAS BEEN

CONDEMNED

ALL PERSONS ARE WARNED TO

KEEP AWAY

Any person who refuses to leave, interferes with the evacuation of other occupants, occupies, or continues any operation after the property has been posted pursuant to this section, except such person(s) who is directed to perform work to remove a violation or unsafe condition, shall be deemed in violation of this section and it shall be the duty of the Police Department to immediately remove such person(s) from said building, structure, or premises and prevent anyone, unless approved by the building official, from re-entering the building, structure, or premises until such time that the Police Department shall have been notified that the same is in a safe condition. The building official assumes no responsibility for persons entering upon said property, and said persons proceed at their own risk and assume all liability.

120.2 Temporary safeguards. When, in the opinion of the building official, there is actual and immediate danger of collapse or failure of a building or structure or any part thereof which would endanger life, the building official shall be permitted to cause the necessary work to be done to render such building or structure or part thereof temporarily safe whether or not the legal procedure herein described has been instituted.

120.3 Closure. When necessary for public safety, the building official shall temporarily

1 close sidewalks, streets, buildings, structures, and places adjacent to such unsafe building,
2 structure, or premises and prohibit the same from being used.

3 **120.3.1 Catchment enclosures.** If, in the opinion of the building official, it is
4 determined that there exists an imminent structural hazard, catchment enclosures shall be
5 erected protecting adjoining property and the public right-of-way. The cost for such
6 catchment enclosures shall be the responsibility of the owner of record immediately
7 adjacent to the catchment enclosure and the recovery of said costs will be as described in
8 Section 120.5.

9 **120.4 Emergency repairs; remedies.** For the purpose of this section, the building official
10 shall be permitted to employ the necessary labor and materials to perform the required work
11 as expeditiously as possible. Further, when it is found that potable water is running inside a
12 vacant building or structure and the owner or the owner's representative cannot be contacted,
13 and where severe structural or other damage can thus occur to adjacent properties, the
14 Building Commissioner or the Health Commissioner shall be permitted to order the Water
15 Division to cease the problem flow by whatever means the Water Division finds necessary.
16 The Water Division shall comply with any order issued pursuant to this section.

17 **120.5 Cost of emergency repairs or demolition.** Costs incurred in the performance of
18 emergency work shall be paid from the Treasury of the City of Saint Louis on certification of
19 the building official. The legal counsel of the City of Saint Louis shall institute appropriate
20 action against the owner(s) of the premises where the unsafe building or structure is or was
21 located for the recovery of such costs plus a ten percent administrative fee. If such cost is not

1 collected, a lien shall be requested to be placed upon the property by the Comptroller. The
2 costs shall also be certified by the Collector of Revenue or other official collecting real estate
3 taxes, who shall cause a special tax bill against the property to be prepared and collected in
4 the same manner and procedures as other real estate tax bills. Said special tax bill shall be
5 deemed a personal debt against the property owner(s) and shall also be a lien on the property
6 until paid.

7 **120.6 Emergency demolition or removal.** If, in the opinion of the building official, a
8 building, structure, tree, or premises, in whole or in part, poses an immediate and imminent
9 danger to the public health, safety, or welfare by virtue of its condition or conditions in
10 violation of this code, the building official shall be permitted to cause the immediate removal
11 of said building, structure, or tree without the notice set forth elsewhere in this code. Further,
12 the building official shall have the authority to award a sole source contract for demolition of
13 said dangerous building, structure, or tree.

14 **120.7 Demolition of party walls; responsibility.** When a building or structure on one side
15 of a party wall is demolished, the demolition contractor is required to grout solid all floor or
16 roof joist pockets and is also responsible for installing missing portions of the party wall
17 which were not originally built. The demolition contractor shall remove any attachments to
18 the building or structure (plaster, mortar, steps, paneling, etc.). The adjacent wall shall have
19 an approved roofing material applied to create a coping for the wall. The demolition
20 contractor shall also be responsible for applying an exterior sprayed-on sand and tinted
21 cement coating or tuckpointing; these are not the responsibility of the owner of the remaining

1 building who relies on structural support from the party wall.

2 SECTION 121

3 REGISTRATION OF VACANT BUILDINGS

4 **121.1 Vacant building registration fee.** The owner of any parcel of residential property
5 improved by a residential structure or of commercial property improved by a structure
6 containing multiple dwelling units which is vacant and has been vacant for at least six
7 months and which is in violation of this code shall pay a semiannual registration fee of two
8 hundred dollars.

9 **121.2 Inspection.** The Building Commissioner or his designee shall inspect any property
10 that may be subject to the registration fee established in Section 121.1. The inspecting
11 officer shall report his findings and recommendations and the Building Commissioner or his
12 designee shall determine whether any such property shall be subject to the registration fee.
13 Within five business days of such determination, the Building Commissioner or his designee
14 shall notify by mail the owners of property on which the registration fee has been levied at
15 their last known address according to the records of the office of the Assessor. The property
16 owner shall have the right to appeal the decision of the Building Commissioner to the
17 municipal court within thirty days of such notification. Absent the existence of any valid
18 appeal or request for reconsideration pursuant to Section 121.3, the registration fee shall
19 begin to accrue on the beginning of the second calendar quarter after the decision of the
20 Building Commissioner.

1 **121.3 Revocation of fees.** Within thirty days of the Building Commissioner making
2 notification pursuant to Section 121.2, the property owner may complete any improvements
3 to the property that may be necessary to revoke the levy of the registration fee and then may
4 request a reinspection of the property and a reconsideration of the levy of the registration fee
5 by the city. If the Building Commissioner or his designee revokes the registration fee, no
6 such assessment shall be made and the matter shall be considered closed. If the Building
7 Commissioner or his designee affirms the assessment of the registration fee, the property
8 owner shall have the right to appeal the reconsideration decision of the Building
9 Commissioner to the municipal court within thirty days of such decision. Absent the
10 existence of any valid appeal to the municipal court or other court of competent jurisdiction,
11 the registration fee shall begin to accrue on the beginning of the second calendar quarter after
12 the reconsideration decision of the Building Commissioner.

13 **121.4 Payment of fees.** The Building Commissioner is hereby authorized to establish
14 procedures for the payment of the registration fee and penalties for delinquent payments of
15 such fees. Any registration fees which are delinquent for a period of one year shall become a
16 lien on the property and shall be subject to foreclosure proceedings in the same manner as
17 delinquent real property taxes. The owner of the property against which the assessment was
18 originally made shall be able to redeem only by presenting evidence that the violations of the
19 applicable code cited by the Building Commissioner have been cured and presenting
20 payment of all registration fees and penalties. Upon bona fide sale of the property to an
21 unrelated party, said lien shall be considered released and the delinquent registration fee
22 forgiven.

1 **121.5 Registration.** The property owner shall provide their name, street address, phone
2 number, and email address to the Assessor's Office. If the property owner does not reside in
3 Missouri or Illinois, the property owner is required to provide the name, street address, and
4 telephone number of a natural person eighteen years of age or older designated by the
5 property owner as the authorized agent for receiving notices of code violations and for
6 receiving process in any court proceeding or administrative enforcement proceeding on
7 behalf of such owner or owners in connection with the enforcement of this code. This person
8 must maintain an office in either the State of Missouri or Illinois or must actually reside in
9 either the State of Missouri or Illinois. The Building Commissioner shall be responsible for
10 providing the information to the City Information Technology Services Agency and the
11 information shall be available through the Geo St. Louis website.

12 **121.6 Vacant Building Maintenance.** The owner of any building that has become vacant
13 shall, within thirty days, do the following:

- 14 1. Enclose and secure the building as defined under Section 119 of this code. All doors
15 must be properly secured and windows on all floors of the building shall be properly
16 secured.
- 17 2. Maintain the building in a secure and closed condition until the building is again
18 occupied or until repair or completion of the building has been undertaken.

19 **121.7 Collected Funds.** The Comptroller of the City of St. Louis is hereby authorized and
20 directed to establish a Special Account to be known as the Vacant Building Initiative Fund in
21 which all funds received pursuant to this section shall be deposited and such funds shall be

1 kept separate and apart from all other funds. Such funds are hereby appropriated for the costs
2 associated with this section. All interest generated on deposited funds shall be accrued to the
3 Vacant Building Initiative Fund Account.

4 **121.8 Penalties.** If an owner fails to pay the registration fee under Section 121.1 thirty days
5 after the registration fee is assessed, a penalty shall be assessed of \$250.00 per occurrence.
6 Any owner found to be in violation of provisions of Section 121.5 shall be subject to a fine
7 of not more than \$500.00, to a term of imprisonment of not more than ninety days, or to both
8 a fine and imprisonment. Any owner found to be in violation of provisions of Section 121.6
9 shall be subject to a fine of not more than \$500.00, to a term of imprisonment of not more
10 than ninety days, or to both a fine and imprisonment. Every day that a violation continues
11 shall constitute a separate and distinct offense.

12 **SECTION 122**

13 **CERTIFICATION OF DEMOLITION CONTRACTORS**

14 **122.1 Certificate required.** No person, partnership, or corporation shall engage in the
15 activity of demolishing or wrecking buildings or structures as defined in Section 203 of this
16 code within the City of Saint Louis unless such person, partnership, or corporation has first
17 applied for and been issued a demolition certificate as a demolition contractor as defined in
18 this section.

19 **Exception:** No demolition certificate shall be required for the City of Saint Louis when
20 performing demolition or wrecking by force account using employees of the City of Saint

1 Louis.

2 **122.2 Demolition certificate.** No person, partnership, corporation, or persons or
3 corporations doing business under a fictitious name, whether such name be legally registered
4 or not, or corporation doing business in or conducting demolition or wrecking activities as
5 defined in Section 203 shall conduct or be employed in conjunction with demolition as
6 defined in Section 203 within the City of Saint Louis unless said person, a member of such
7 partnership, or an officer of such corporation, or one of the persons or any officers of any
8 corporation doing business under a fictitious name has received a current demolition
9 certificate of the proper class as herein described, or said person is legally employed by a
10 properly certified demolition contractor of the class herein described. The Demolition
11 Contractors' Certification Board shall approve the issuance of a demolition certificate to any
12 person, partnership, or corporation which has undertaken to comply with the provisions of
13 the Building Code and any and all regulations thereunder, and who has proven ability,
14 personnel, and equipment to provide the public with safe, timely, and competent service as a
15 demolition contractor within the class of certification for which application has been made.
16 With the determination of the person's fitness, the Demolition Contractors' Certification
17 Board shall require an examination, either oral or written, and shall call for satisfactory
18 experience in the field in accordance with the standards herein contained.

19 The Demolition Contractors' Certification Board shall be permitted to deny, revoke, or
20 suspend any demolition certificate upon a determination after notice and hearing that the
21 demolition contractor:

22 1. Has violated any provision or any obligation imposed by this code or any and all

- 1 regulations thereunder, or has violated any law in the course of their dealings as a
- 2 demolition contractor; or,
- 3 2. Has made a material misstatement in the application for the demolition certificate; or,
- 4 3. Has been guilty of fraudulent or dishonest practices, including but not limited to:
- 5 arson, embezzlement, fraud, theft, failure to complete projects before permit
- 6 expiration, caused damage to abutting property, failed to comply with provisions of
- 7 this certification section; or,
- 8 4. Has demonstrated their incompetence or lack of ability to act as a demolition
- 9 contractor.

10 Such demolition revocation or suspension shall be permitted to be appealed to the Board
11 of Building Appeals.

12 **122.2.1 Class I certificate.** A demolition certificate to be issued for one year to
13 demolition contractors which indicates that the demolition contractor possesses the
14 personnel, equipment, and ability to perform any demolition activities within the City of
15 Saint Louis in accordance with applicable provisions of this code and the laws of the City
16 of Saint Louis for demolition of a building or structure or portions thereof.

17 **122.2.2 Class II certificate.** A demolition certificate to be issued for one year to
18 demolition contractors which indicates that the demolition contractor possesses the
19 personnel, equipment, and ability to perform demolition activities within the City of
20 Saint Louis in accordance with the applicable provisions of this code and the laws of the
21 City of Saint Louis for demolition of a building or structure or portions thereof which do

1 not exceed three stories or 50 feet in height, or five thousand square feet in area, or
2 200,000 cubic feet in volume.

3 **122.2.3 Temporary certificate.** A temporary certificate is a demolition certificate to be
4 issued for either a Class I or Class II certificate as described above, indicating compliance
5 with the requirements for same and demolition activities as described in Section 203 of
6 this code are to be performed. This certificate shall be issued for a period not to exceed
7 six months.

8 **122.2.4 Special certificate.** A person, firm, partnership, or corporation shall be
9 permitted to be certified as a demolition contractor in the appropriate class with a special
10 demolition certificate if that person, firm, partnership, or corporation provides proof of
11 appropriate insurance on a per job basis.

12 **122.3 Demolition Contractors' Certification Board.** There is hereby established a City of
13 Saint Louis Demolition Contractors' Certification Board which shall be composed of the
14 Building Commissioner of the City of Saint Louis or the Building Commissioner's
15 authorized representative and four additional members appointed by the Mayor as follows:
16 either the President of the Board of Public Service or the Director of the Department of
17 Streets or their authorized representative, a certified general contractor, a person engaged in
18 the real estate business, and a member of the public at large. Appointments of city
19 employees as members of this board shall be during such time as the Building Commissioner
20 and either the President of the Board of Public Service or the Director of the Department of
21 Streets hold office. All members shall be appointed to a two year term. The term of the

1 member-at-large shall expire on the year opposite the other members. Three members shall
2 constitute a quorum for meetings of the Demolition Contractors' Certification Board and a
3 simple majority shall rule in decisions rendered by this board. The Building Commissioner
4 shall appoint a Building Division member to serve as secretary to the board. The Demolition
5 Contractors' Certification Board shall be compensated as prescribed by Civil Service
6 provisions for such boards and committees.

7 **122.3.1 Term of office.** New members shall possess the same qualifications as the
8 persons in whose place they are appointed. This is an existing board and all current
9 appointments shall not be affected by this ordinance. All subsequent appointments shall
10 be for a term of two years and shall expire on an anniversary of the date of the original
11 term, except appointments to fill vacancies which shall be for the unexpired term.
12 Members whose appointment terms have expired shall be permitted to continue to serve
13 until reappointed or replaced by a new appointee.

14 **122.3.2 Powers and duties of the board.** The Demolition Contractors' Certification
15 Board is to conduct itself in such a manner so as to insure as much as possible that
16 demolition within the City of Saint Louis is performed safely in accordance with the laws
17 of the City of Saint Louis governing demolition and demolition contracting as hereinafter
18 set forth:

- 19 1. Administration - The Demolition Contractors' Certification Board shall receive
20 applications, administer tests, conduct interviews and hearings, and approve,
21 deny, suspend, or revoke demolition certificates as herein described. The

1 Demolition Contractors' Certification Board shall be permitted to also issue
2 temporary certificates as described in Section 122.2.3.

3 2. Tests - The Demolition Contractors' Certification Board shall prescribe the form
4 and content of tests as described herein and the form or content of demolition
5 certificates as herein described.

6 3. Hearings - The Demolition Contractors' Certification Board shall hold hearings
7 and call witnesses pursuant to certificate issuance or rules and regulations
8 pending and shall be permitted to call special hearings related to complaints by
9 citizens concerning demolition procedures or rules and regulations.

10 A. The Demolition Contractors' Certification Board (hereinafter referred to as
11 the Demolition Board) shall meet as often as is necessary to conduct its
12 business. The Demolition Board will set and hold hearings for annual re-
13 certification as required.

14 B. The Demolition Board shall meet up to twelve times each year for the
15 purpose of testing or re-testing applicants for certification.

16 C. For any special session requested and called for by the elected chairman of
17 the Demolition Board for any purpose set forth in the rules adopted and
18 published by the Demolition Board.

19 D. For the purposes of suspending or revoking any demolition certificates
20 previously issued when the building official finds that any holder of a
21 demolition certificate has violated any of the provisions of this code or any
22 rule or regulation adopted by the Demolition Board, the building official

1 shall serve upon the holder of the demolition certificate a written notice
2 signed by the building official of any findings stating the violation or
3 violations which the building official has found the certificate holder to
4 have committed, and stating that a hearing will be held before the
5 Demolition Board in not less than five days nor more than fifteen days.
6 Such written notice shall further state that the purpose of such hearing shall
7 be the revocation or suspension of the named person's demolition
8 certificate as a demolition contractor. Such notice shall state further that
9 the holder of the demolition certificate has the right to appear personally at
10 such hearing and to be represented by counsel of the holder's choice. The
11 Secretary of the Demolition Board shall mail a written notice of the time,
12 date, and place of any such hearing to the holder of the demolition
13 certificate at the last address furnished to the Demolition Board in the
14 registration statement required to be filed by Section 122.3.4 paragraph 1.1.

15 4. Adoption of Rules - The Demolition Board shall be permitted to adopt rules and
16 regulations consistent with the provisions of this ordinance and the laws of the
17 City of Saint Louis related to demolition. Such rules and regulations shall be
18 published in the City Journal for two consecutive issues prior to becoming
19 effective.

20 **122.3.3 Tests.** In the performance of its powers and duties for the approval, denial,
21 revocation, or suspension of a demolition certificate, the Demolition Board shall be
22 permitted to prescribe oral or written tests or both to establish the applicant's ability and

1 knowledge of the laws and regulations of the City of Saint Louis. If tests are
2 administered, equivalent testing shall be required of all demolition contractors within the
3 same class of certificate.

4 **122.3.4 Required conditions prior to issuance of demolition certificate.**

5 1. Filing of registration statement - No Class I or Class II demolition certificate or
6 any temporary certificate or special certificate as specified herein shall be issued
7 to any person, partnership, officer of any corporation, or any person doing
8 business under a fictitious name, whether such name be legally registered or not,
9 or corporation doing business in or conducting wrecking activities as herein
10 defined unless there is first filed with the Demolition Board a certified statement
11 by any such person, if an individual; by all persons who constitute any
12 partnership; by all persons, individuals, and officers of any corporation doing
13 business under a fictitious name, whether such name be legally registered or not,
14 or corporation doing business in or conducting demolition or wrecking activities
15 as herein defined; by the president and secretary of any corporation, setting forth
16 the following:

17 A. All the names and current addresses of all such persons who are individuals
18 or partners of any partnership; all the names and current addresses of all
19 persons doing business under a fictitious name, whether such name be
20 legally registered or not; the legally registered name and address of any
21 corporation doing business together with the date when registered and the
22 number assigned by the Secretary of the State; in or conducting demolition

1 or wrecking activities as described in Section 203, stating the date of
2 registration with the registration number assigned by the Secretary of the
3 State of Missouri, and the written verification by the Secretary of State that
4 the corporation is currently in good standing and authorized to do business
5 in the State of Missouri.

6 2. Filing proof of public liability insurance coverage and required endorsements:

7 Prior to the issuance of any demolition certificate as a demolition contractor,
8 there must be filed with the Demolition Board the following:

9 A. A public liability insurance policy in the minimum amount of \$100,000,
10 limits payable for injury to, including death of, any one person; and in the
11 minimum amount of \$300,000, limits payable for any injuries including
12 death to any two or more persons injured in any one accident; and in the
13 minimum amount of \$50,000, limits payable to one or more persons for
14 property damage at any time by reason of the carelessness or negligence of
15 any person or persons holding any demolition certificate, or any
16 corporation, any officer of which holds a demolition certificate, and all their
17 agents and employees.

18 B. As a further condition prior to the issuance of any permit to demolish or
19 wreck any building or structure within the City of Saint Louis, the
20 Demolition Board shall be permitted to require that the minimum liability
21 insurance coverage for bodily injuries, including death, to one or more
22 persons and for property damage as set forth in paragraph 2.1 above be in a

1 greater amount as to coverage where the building, structure, or portions
2 thereof to be demolished or razed is in excess of three stories or 50 feet in
3 height, 5,000 square feet in area, or 200,000 cubic feet in volume to such
4 minimum coverage as the Demolition Board determines is necessary to
5 protect the public and persons and property adjoining said site and traveling
6 nearby for the duration of such demolition or wrecking operations.

7 C. All such liability insurance policies required by this ordinance shall also
8 contain the following endorsement: "The Insurer shall not cancel the
9 coverage afforded by this policy unless the said insurer first delivers to the
10 building official written notice of cancellation of such policy at least 30
11 days prior to such date of cancellation by either personally delivering such
12 notice of cancellation and taking written acknowledgment of such receipt
13 from the building official or authorized deputy or by mailing certified or
14 registered mail and receiving a signed acknowledgment of registered mail
15 and receiving a signed acknowledgment of such receipt from the building
16 official or authorized deputy."

17 3. Approval - All such liability insurance policies required by this ordinance must
18 be approved by the City Counselor as to form of such policies.

19 4. Demolition contracts - The City of Saint Louis Building Division demolition
20 contracts are awarded to independent contractors who are not direct employees or
21 agents of the City of Saint Louis. Any damage claims that should arise as a result
22 of demolition must be made directly against the demolition contractor or the

1 demolition contractor's insurance company. The City of Saint Louis shall be
 2 held harmless and shall be noted as such on all demolition permits issued by the
 3 City of Saint Louis.

4 **122.4 Demolition certificate fees.** Certification fees and demolition contractors' certificate
 5 application fees shall be collected by the City of Saint Louis prior to issuance of a demolition
 6 certificate as listed in Table 122.4. All fees required under Section 122.4 shall be collected
 7 by the Division of Building and Inspection.

TABLE 122.4
DEMOLITION CERTIFICATE FEES

Item	Fee	Duration	Remarks and Requirements
Demolition Contractors' Certification Board Certificate Applications	\$ 30.00		
Certification Fees:			
Class I	\$ 200.00	1 year	
Class II	\$ 90.00	1 year	
Temporary Certificate Applications:	\$ 60.00		
Certification fees:			
Class I	\$ 120.00	6 months	Up to 6 months
Class II	\$ 30.00	6 months	Up to 6 months
Special Certificate Applications:	\$ 60.00		
Certification fees:			
Class I	\$ 120.00		Per job basis
Class II	\$ 30.00		Per job basis

8 **122.5 Permits.** The building official shall not issue permits to perform demolition or

wrecking as herein defined to any person, partnership, or corporation or to persons doing business under a fictitious name unless said permit applicant holds a current and proper class of demolition certificate.

122.5.1 Suspension of certificate. Any person, including any officer of any corporation, holding any demolition certificate found performing demolition or wrecking as herein defined without proper permits as prescribed by this code shall be additionally subject to certificate suspension or revocation by the Demolition Board.

122.6 Standards of qualification and testing. For the purpose of demolition contractor certification described herein, the Demolition Board shall qualify and test in accordance with the following Standards of Acceptance:

1. Qualifications:

A. Class I certificates - Class I demolition contractor applicants, in addition to the requirements herein, must show documented proof of any one of the following:

That said applicant has been:

I. Safely and legally doing business as a Class II demolition contractor for at least five years and shows access to the proper equipment and personnel to perform Class I demolition activities; or

II. Safely and legally doing business in demolition contracting for at least three years involving buildings of substantial size being in excess of heights, areas, and volumes described for a Class II demolition certificate as described in Section B, and shows access to the proper

1 equipment and personnel to perform Class I demolition activities; or

2 III. In receipt of a Class I temporary certificate and has safely and legally

3 performed Class I demolition activities within the City of Saint Louis

4 under said certificate.

5 B. Class II certificates - Class II demolition contractor applicants, in addition to the

6 requirements herein, must show documented proof of any one of the following:

7 That said applicant has been:

8 I. Safely and legally doing business in demolition contracting for at least three

9 years and shows access to the equipment and personnel to properly

10 perform Class II demolition activities; or

11 II. Legally employed by a qualified Class I or Class II demolition contractor

12 as herein described for at least three years and shows access to the

13 equipment and personnel to properly perform Class II demolition

14 activities; or

15 III. In receipt of a Class II temporary certificate and has safely and legally

16 performed Class II demolition activities within the City of Saint Louis

17 under said certificate.

18 C. Temporary, either class: The Demolition Board, under prior test, shall be

19 permitted to reduce the years of experience or years doing business as a

20 demolition contractor for temporary class certificates or accept demolition

21 certificates or licensing from other cities or administrative review bodies for

22 temporary class certificates when such other license or certificate is predicated

1 upon qualifications equivalent to the temporary class certificate applied for
2 either of the above, subject to evidence of equipment and personnel, as defined
3 in the certificate qualifications for Class I or II, as applicable to the temporary
4 class so applied. The Demolition Board shall be permitted to issue, at its
5 discretion, such temporary class certificates to recently established demolition
6 companies or corporations which have filed the proper applications and
7 submitted documentation of adequate personnel and equipment to perform said
8 demolition activities.

9 2. Testing - All tests as described in Section 122.3.3 shall be designed to establish the
10 applicant's knowledge of safety and precaution as it relates to demolition activities
11 and shall involve questions directly oriented to laws and regulations of the Building
12 Code pertinent to demolition activities and published demolition safety rules and
13 regulations as described herein.

14 3. Violations - Any person who shall fail to comply with any of the requirements of
15 Section 122 shall be guilty of a violation of this code and shall upon conviction
16 thereof be subject to the penalties as set forth in Section Four of the adopting
17 ordinance. Each day that any violation continues shall constitute a separate and
18 distinct offense.

19 **122.7 Appeals.** Any person jointly or severally aggrieved by the decision of the Demolition
20 Board shall be entitled to a judicial review of the decision rendered by the Demolition
21 Contractors' Certification Board as provided in the Administrative Procedure and Review
22 Act of the State of Missouri, being Sections 536.100 - 536.140 of the Revised Statutes of

1 Missouri.

2 **SECTION 123**

3 **DEMOLITION OF STRUCTURES**

4 **123.1 Wrecking, demolition, or razing of buildings or structures.** No person, firm, or
5 corporation shall wreck, demolish, or raze a building or other structure within the City of
6 Saint Louis without first obtaining a permit for said demolition from the Division of Building
7 and Inspection. Such permit shall be issued only to a person, firm, or corporation certified as
8 a demolition contractor by the City of Saint Louis except that a permit shall be issued to the
9 owner of record of land or to an agency or division of the City of Saint Louis if such building
10 is not more than 1½ stories or 15 feet in height and not more than 10,000 cubic feet in
11 volume or 1,000 square feet in area without a basement. Demolition permit applications,
12 when applied for by anyone other than the owner of record, shall be accompanied by a
13 notarized letter of authorization or other documentation from the owner of record granting
14 permission to apply.

15 **123.1.1 Bond.** Every person, firm, or corporation performing the wrecking of any
16 building or structure shall provide a performance bond and a payment bond subject to the
17 approval of the Comptroller in the sum of an amount equal to the amount of the wrecking
18 contract or cost of the wrecking, conditioned upon the requirement that the sidewalks,
19 streets, or alleys adjacent to the wrecking shall be kept free of all materials and debris
20 caused by the wrecking operations; that adjacent safeguards and warnings be provided for

1 the public who use the sidewalks, streets, or alleys adjacent the wrecking; that the
2 sidewalks, streets, alleys, municipal utilities, signs, and property be repaired of any
3 damage caused by the wrecking operations or vehicles; that the demolition contractor
4 shall clean, backfill, and grade the wrecking site as required by the building official; and
5 further conditioned upon the requirement that the demolition contractor comply with the
6 written directions and regulations of the Director of Streets and the building official. No
7 bond shall be for less than \$5,000.

8 The bond herein required shall be written by a person, firm, or corporation authorized
9 to do bonding business in the State of Missouri and shall be subject to the approval of the
10 City Counselor and Comptroller. The bond shall be subject to cancellation only after ten
11 days written notice to the Comptroller.

12 Any person, firm or corporation who shall fail to comply with this section shall be
13 guilty of a violation of this code and shall, upon conviction thereof, be subject to the
14 penalties as set forth in Section Four of the adopting ordinance.

15 **123.1.2 Signs.** A sign made of wood, plywood, masonite, or similar material shall be
16 displayed at a prominent location at the front of the lot on which the demolition work is
17 being done or on the front of the building being demolished. This sign must be displayed
18 prior to commencement and until completion of the demolition work. The demolition
19 permit for the site shall be affixed to part of the sign. The sign shall also state the name,
20 address, and telephone number of the demolition contractor. Such name, address, and
21 telephone number shall be permanently painted or otherwise reproduced on the sign in
22 professionally lettered block letters in a format approved by the Building Division not

1 less than 2½ inches high, in colors contrasting with the sign background. Such signs
2 shall not be larger than nine square feet and shall not require a sign permit.

3 Any demolition contractor or employee thereof performing demolition work who
4 does not display such sign commits an offense and shall, upon conviction, be subject to
5 the penalties as set forth in Section Four of the adopting ordinance.

6 **123.1.3 Service connections.** Before a building or structure is demolished or removed,
7 the owner or owner's agent shall notify all utilities having service connections within the
8 building or structure such as water, electric, gas, sewer, and other connections. A permit
9 to demolish or remove a building or structure shall not be issued until a release is
10 obtained from the utilities stating that their respective service connections and
11 appurtenant equipment such as meters and regulators have been removed or sealed and
12 plugged in a safe manner.

13 **123.1.4 Vehicles.** No demolition permit shall be issued unless the applicant provides the
14 building official proof that the vehicle(s) to be used to haul the demolition debris have
15 the necessary permits pursuant to Chapter 11.02 of the Revised Code of the City of Saint
16 Louis. Enforcement of this section shall be by the Street Department.

17 **123.1.5 Demolition permit fee.** The fee for a demolition permit and inspection for the
18 demolition of any building or structure shall be based on the cubic footage as listed in
19 Table 109.3.1.

20 **123.1.6 Demolition work started surcharge fees schedule.** In case any work for which

1 a demolition permit is required by this code is substantially started or proceeded with
2 prior to obtaining said permit, the total normal fees applicable shall be increased by the
3 amount as listed in Table 109.5.

4 **123.2 Lot regulation.** Whenever a building or structure has been removed, the premises
5 shall be maintained free from all unsafe or hazardous conditions.

6 **123.2.1 Foundation walls.** All foundation walls shall be broken down to at least twelve
7 inches below grade and debris must not be larger than three feet in width and length. All
8 concrete basement or crawl space slabs shall be broken into sections not exceeding eight
9 feet in any dimension. Cracks shall be of sufficient size to permit drainage.

10 **123.2.2 Grading and backfilling.** All grading and backfilling operations shall be
11 conducted in such a manner as to provide clean, uncontaminated soil, rock, sand, gravel,
12 concrete, asphaltic concrete, cinder blocks, and bricks. Demolition rubble or any other
13 rubble brought in from another site to be used as fill shall be subject to laboratory testing
14 for any contaminants at the discretion of the building official.

15 **123.2.3 Lot maintenance.** Whenever a building or structure has been demolished and
16 no building or construction operation has been contemplated or projected as evidenced by
17 the fact that no application for a building permit has been filed with the building official,
18 the excavation remaining after such demolition shall be immediately filled, graded, and
19 maintained in conformity with the existing grade immediately adjacent to such
20 excavation or as directed by the building official. The top six inches of fill shall be clean

1 top soil and shall be planted with grass seed and covered with straw.

2 **123.2.4 Improper fill.** The building official shall be permitted to require the contractor
3 to reopen a completed excavation to determine if proper fill procedures have been
4 followed. The cost of reopening shall be borne by the demolition contractor.

5 **123.2.5 Burial of debris.** On any demolition site where there is no basement or below
6 grade crawl space, all demolition debris must be removed from the site. Excavation for
7 the purpose of burying of debris will not be allowed.

8 **123.2.6 Open Burning.** Open burning shall be allowed for the purpose of providing heat
9 for outside employees as a condition of a demolition permit. The location for any open
10 burning shall not be less than 50 feet from any structure and provisions shall be made to
11 prevent the fire from spreading to within 50 feet of any structure. Fire in approved
12 containers shall be permitted provided that such fires are not less than 15 feet from any
13 structure. A 55-gallon drum shall be considered an approved container. These
14 provisions do not preclude provisions from the Air Pollution or Fire Prevention
15 ordinances.

16 Open burning will be allowed on demolition sites when it is contained within 55-
17 gallon drums, attended at all times, all wood and scrap confined to the drum, and a water
18 hose or fire extinguisher available at all times. Fire drums shall be properly located on
19 the site so as not to create a nuisance to adjoining property.

20 **CHAPTER 2 IS AMENDED AS FOLLOWS:**

1 Change Section 201.3 to read as follows:

2 **201.3 Terms defined in other codes.** Where terms are not defined in this code and are
3 defined in the Energy Conservation Code, Fire Code, Fuel Gas Code, Mechanical Code or
4 Plumbing Code, such terms shall have the meanings ascribed to them as in those codes.

5 Modify Section 202 Definitions by the addition or changing of definitions to read as
6 follows:

7 **ACCESSIBLE.** A site, building, facility, or portion thereof that complies with Chapter 11
8 of this code and ICC A117.1-09 *Accessible and Useable Buildings and Facilities* and that
9 can be approached, entered, and used by a person with a physical disability.

10 **BUILDING or CODE OFFICIAL.** The Building Commissioner of the City of Saint Louis
11 or any duly authorized representative.

12 **CONSTRUCTION COST.** The cost of all construction portions of a project, generally
13 based upon the sum of the labor and materials used in the performance of the construction
14 contract and other direct construction cost; does not include the compensation paid to the
15 architect and consultants, the cost of the land, right-of-way, or other costs which are defined
16 in the construction documents as being the responsibility of the owner.

17 **CUSTODIAN OF RECORDS.** The custodian of records shall be that person who directly
18 supervises the particular section within the Division of Building and Inspection from which
19 records are being requested.

1 **LICENSED DESIGN PROFESSIONAL.** An individual who is licensed to practice their
2 respective design profession as defined by Chapter 327 of the Revised Statutes of the State of
3 Missouri.

4 **LICENSED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.** A licensed
5 design professional engaged by the owner to review and coordinate certain aspects of the
6 project as determined by the building official for compatibility with the design of the
7 building or structure, including submittal documents prepared by others, deferred submittal
8 documents, and phased submittal documents.

9 **OCCUPANCY PERMIT.** The permit issued by the building official which certifies that the
10 building or structure has been inspected and has complied with the applicable provisions of
11 all City of Saint Louis ordinances, as enforced by the Division of Building and Inspection.

12 **OWNER.** Any person, firm, or corporation having a legal or equitable interest in the
13 property; their agent, operator; collector of rent; or any other person, firm, or corporation
14 exercising any care or control of the property; or any person, firm, or corporation recorded in
15 the official records of the state, county, or municipality as holding title to the property or
16 otherwise having control of the property, including the guardian of the estate of any such
17 person and the executive administrator of the estate of such person, if ordered to take
18 possession of real property by a court.

19 **PARKING LOT.** Any parcel of land used in whole or in part for the parking of vehicles for
20 which a charge is or is not be made. Legal off-street parking for up to four-family dwellings

1 shall not be considered a parking lot.

2 **PROJECT COST.** The total cost of a project including professional compensation, land
3 cost, furnishings and equipment , financing, and other charges as well as the construction
4 cost.

5 **REGISTERED DESIGN PROFESSIONAL.** *same as* **LICENSED DESIGN**
6 **PROFESSIONAL.**

7 **REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.** *same as*
8 **LICENSED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.**

9 **TECHNICALLY INFEASIBLE.** An alteration of a building or a facility that has little
10 likelihood of being accomplished because the existing structural conditions require the
11 removal or alteration of a load-bearing member that is an essential part of the structural
12 frame or because other existing physical or site constraints prohibit modification or addition
13 of elements, spaces, or features which are in full and strict compliance with the minimum
14 requirements for new construction and which are necessary to provide accessibility.

15 Add Section 203 to read as follows:

16 **SECTION 203**

17 **DEFINITIONS FOR DEMOLITION PURPOSES ONLY**

18 **BACKFILL.** Clean, uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete,
19 cinder blocks, or bricks.

1 **BUILDING.** A structure enclosed within exterior walls, fire walls, or party walls built,
2 erected, and framed of component parts designed for the housing, shelter, or enclosure and
3 support of individuals, animals, or property of any kind which is in excess of ½ stories or 15
4 feet in height, 10,000 cubic feet in volume, or 1,000 square feet in area without a basement.

5 **DEMOLITION, CLEARING, GRADING, OR BACKFILLING.** A portion of
6 demolition activity in which clearing, grading, or backfilling operations are conducted at the
7 demolition site in conjunction with the demolition of the building or structure as herein
8 defined.

9 **DEMOLITION SALVAGING.** A portion of demolition activity which is conducted at the
10 demolition site in such a manner as to reuse the existing construction materials or fixtures
11 from the building or structure such as brick, lumber, fixtures, steel, ornamental iron, or
12 fencing; their removal or cleaning, palletizing, stacking, storing, or loading onto vehicles for
13 shipment.

14 **DEMOLITION WRECKING.** The removal of all or portions of buildings or structures to
15 include: on-site salvaging, on-site loading, and on-site backfilling, grading or clearing as
16 herein defined; but does not include: the actual hauling of scrap, debris and miscellaneous
17 materials away from the demolition site, or the removal of miscellaneous partitions,
18 machinery, equipment, plaster, mortar, paint, fixtures, trim or finish, when performed in
19 conjunction with building repairs or alteration work; nor does this definition include the
20 complete relocation of buildings or structures from one site for reassembly at another site.

1 **DEMOLITION OR WRECKING CONTRACTOR.** Any person, firm, partnership, or
2 group of persons doing business under a fictitious name, whether such name be legally
3 registered or not, or corporation doing business in or conducting demolition or wrecking
4 activities as herein defined.

5 **DEMOLITION OR WRECKING CONTRACTOR EMPLOYEE.** Any person
6 employed by a demolition contractor in conjunction with demolition activities as herein
7 defined.

8 **STRUCTURE.** An assembly of materials forming the construction for occupancy or use,
9 including among others: buildings, stadiums, platforms, towers, water tanks, trestles,
10 above-grade piers, wharves, open sheds, shelters, signs, etc. which exceed 15 feet in height,
11 1,000 square feet in area, or 10,000 cubic feet in volume; but not to include tents, temporary
12 reviewing stands, staging, or statues, displays, or signs less than 30 feet in height.

13 **CHAPTER 3 IS AMENDED AS FOLLOWS:**

14 Add Section 301.2 to read as follows:

15 **301.2 Application of other laws.** The provisions of this chapter shall not be deemed to
16 nullify any provisions of the Zoning Ordinance or any other statute of the City of Saint Louis
17 pertaining to the location or occupancy of buildings, except as specifically required by the
18 provisions of this code.

19 Change Section 310.6 to read as follows:

1 **310.6 Care facilities providing home day care licensed by the State of Missouri.** Family
2 Child Care Homes providing home day care for more than four but not more than ten
3 unrelated children at any one time are exempt from this code if they meet the licensing
4 capacities listed below, possess a valid State of Missouri license, are inspected by the
5 Missouri Department of Health and the State of Missouri Fire Marshal's Office, and meet all
6 provisions of the Zoning Ordinance of the City of Saint Louis.

7 1. If there is one adult provider, the family child care home shall be allowed to be
8 licensed for up to six children including a maximum of three children under age
9 two, or for up to ten children including a maximum of two children under age
10 two. If only four children are present, all the children shall be permitted to be
11 under the age of two.

12 2. If the provider has an adult assistant present, the family child care home shall be
13 allowed to be licensed for up to ten children including a maximum of four
14 children under age two, or for up to eight children who shall be permitted to be
15 all under age two.

16 3. A family child care home shall be allowed to be licensed at maximum capacity
17 for a period of eighteen consecutive hours of the 24-hour day. For the remaining
18 six hours of the 24-hour day, care shall be allowed to be provided for $\frac{1}{3}$ the
19 licensed capacity of the home.

20 If the applicant furnishes a copy of their State of Missouri Family Child Care Home
21 License for ten children or less, they shall receive a Home Occupation Permit Waiver
22 subject to approval by the Board of Public Service as a Conditional Use or the Board of

1 Adjustment as a Variance to the Zoning Code.

2 If an occupancy permit waiver is issued, the Building Division - Inspection Section
3 will not inspect such State Licensed Family Child Care Home unless a Building Code or
4 Zoning Ordinance complaint is received. Zoning Ordinance complaints will be
5 investigated by the Building Division; however, Building Code complaints will be
6 forwarded to the State of Missouri, Department of Health, Bureau of Child Care Safety
7 and Licensure. Should seven calendar days elapse without response from the State of
8 Missouri, Department of Health, Bureau of Child Care Safety and Licensure, the
9 Building Division is empowered to investigate the complaint.

10 **CHAPTER 4 IS AMENDED AS FOLLOWS:**

11 Add Sections 403.4.8.1.1 and 403.4.8.1.2 to read as follows:

12 **403.4.8.1.1 Fuel Supply.** An on-premises fuel supply sufficient for two-hour
13 full-demand operation of the system shall be provided.

14 **Exception:** Where the system is supplied with pipeline natural gas and is
15 approved.

16 **403.4.8.1.2 Capacity.** The standby system shall have a capacity and rating that
17 supplies all equipment required to be operational at the same time. The
18 generating capacity is not required to be sized to operate all of the connected
19 electrical equipment simultaneously.

1 Change Section 415.9.3 to read as follows:

2 **415.9.3 Dry cleaning plants.** The construction and installation of dry cleaning plants
3 shall be in accordance with the requirements of this code, the Mechanical Code, the
4 Plumbing Code and NFPA 32. Dry cleaning solvents and systems shall be classified
5 in accordance with the Fire Code.

6 Change Section 415.10.1 to read as follows:

7 **415.10.1 Flammable and combustible liquids.** The storage, handling, processing, and
8 transporting of flammable and combustible liquids shall be in accordance with the
9 Mechanical and Fire Codes.

10 The installation or removal of above-ground and under-ground storage tanks shall
11 require a permit issued from the City of Saint Louis Fire Department and shall be subject
12 to their regulations. Above-ground storage tanks are also subject to the requirements of
13 the Zoning Ordinance and shall require a building permit for the construction of their
14 structural support.

15 Add Section 429 to read as follows:

16 **SECTION 429**

17 **PARKING LOTS AND OTHER PAVED SURFACES**

18 **429.1 Building permit requirement.** A building permit is required for the construction or
19 resurfacing of any parking lot.

20 **Exceptions:**

- 1 1. Restriping an existing parking lot that otherwise complies with this ordinance
- 2 provided that the existing stripes are to be repainted. The addition or relocation of
- 3 parking spaces or aisles requires a building permit.
- 4 2. Lots or paved areas serving Use Group R-3, detached single family.
- 5 3. Paved areas less than 3,000 square feet for Use Group R-3, multiple single family or
- 6 Use Group R-2.
- 7 4. Pothole and rut repair.
- 8 5. All legally-occupied parking lots can perform resurfacing, sealing, and striping as an
- 9 on-going continued maintenance for the purpose of maintaining the parking lot in
- 10 good condition.

11 **429.2 Parking lot construction.** Parking lot construction shall conform to Sections 429.2.1
12 thru 429.2.9.

13 [~~4279.2.1~~] **429.2.1 Surface.** Parking lots shall be paved and surfaced with concrete,
14 bituminous, or other approved materials on an appropriately constructed base course.

15 **429.2.2 Access lanes.** Access lanes, aisles, and parking spaces shall be provided in
16 accordance with the Zoning Ordinance of the City of Saint Louis.

17 **429.2.3 Curb cuts.** Parking lots shall be arranged to afford ready means of entrance and
18 exit, and separate permits shall be secured for curb cuts from the City of Saint Louis
19 Street Department.

20 **429.2.4 Protection of adjoining property.** A curb at least six inches above the parking

1 lot surface shall be provided around the perimeter of the parking lot, exclusive of
2 driveway areas, to prevent the washing of debris and extraneous matter onto the
3 adjoining property or public right-of-way.

4 Parking lots shall be provided with concrete wheel stops at least six inches above the
5 parking lot surface and placed to prevent the parked vehicle from extending over the
6 adjacent property or public right-of-way. Wheel stops shall be so positioned such that
7 both wheels of any car parked in the space shall contact the wheel stop. All such wheel
8 stops shall be located inside the property line, adjacent to the public sidewalk(s), public
9 right-of-way, and adjacent properties.

10 **429.2.5 Drainage.** Up to 3,000 square feet of parking and other paved areas shall be
11 permitted to discharge via a driveway to each public or private street frontage and an
12 additional 3,000 square feet shall be permitted to discharge into a public alley. Areas
13 larger than this must have any excess area discharge into interceptor basins as specified
14 in the Plumbing Code.

15 **429.2.6 Striping.** The parking spaces shall be clearly striped and marked.

16 **429.2.6.1 Accessible spaces.** Spaces required to be accessible to persons with
17 disabilities shall be properly designated both by the appropriate logo painted in the
18 space and a sign in front of the space in accordance with ICC/A117.1 listed in
19 Chapter 35 and in full compliance with Section 1106.

20 **429.2.7 Parking lot offices.** The construction of parking lot offices in excess of 35

1 square feet shall be in accordance with this code.

2 **429.2.8 Lighting.** Parking lots of ten or more parking spaces intended for night time use
3 shall have a minimum illumination of not less than two foot candles on the parking
4 surface at any location within the parking lot. Such lights shall be so arranged as to
5 direct the light away from adjoining dwellings. Such illumination shall be provided
6 during the evening hours of operation of the premises that the lot serves.

7 **Exception:** If the parking lot has adequate light available from existing sources, the
8 requirements for lighting shall be waived at the option of the building official.

9 **429.2.9 Signs.** Each operator of a parking lot charging by the hour or by the day shall
10 display in a prominent location a sign clearly visible to motorists bearing:

- 11 1. The name of the operator.
- 12 2. The usual hours of operation.
- 13 3. The highest daily or hourly rate schedule, if applicable.
- 14 4. The highest night or special event rate schedule, if applicable.
- 15 5. The hours an attendant is normally on duty.

16 Where a single rate is charged or where a daily or hourly rate is charged, the highest
17 rate in each category shall be posted in figures that shall not be less than four inches in
18 height. If any nightly or special event rate exceeds the hourly or daytime rate, then this
19 rate shall be posted and the figures for each of these rates shall be of the same size as
20 those used to post daily and hourly rates. All other parking rates shall be posted legibly
21 in a prominent location.

Nothing in any ordinance regulating the location of signs shall prohibit the erection of a sign which is not internally illuminated nor exceeds fifteen square feet in area or five feet in its longest dimension to comply with the above requirement for identification of a parking lot. All such signs shall be erected and maintained in accordance with law.

5 Add Section 430 to read as follows:

6 SECTION 430

7 **FENCES**

8 **430.1 Requirements.** Fences shall be subject to the following requirements:

1. No fence exceeding 48 inches in height shall be erected in front of the building line as determined by the guidelines and requirements set forth in the Zoning Ordinance, when constructed for uses in residential zones. Front yard building lines for corner lots are also determined by the provisions set forth in the Zoning Ordinance. Fencing on a corner lot shall not be located within the site distance triangle as defined in the Zoning Ordinance.

15 2. All other fences in residential zones shall be permitted to be erected to a height not to
16 exceed eight feet along side or rear property lines.

17 3. Fences in commercial zones shall not exceed ten feet in height.

18 4. No barbed wire fence or fence topped with barbed wire, razor ribbon, or like material
19 shall be erected for any use group in residential zones. No strand of barbed wire,
20 razor ribbon, or like material on any fence shall be closer than seven feet to the

1 ground.

2 5. Fences around swimming pools are subject to the requirements described in Section
3 3109.

4 6. The property owner shall be responsible for locating property lines as they pertain to
5 location and construction of fences.

6 7. Two fences of different heights and materials shall be permitted to abut each other on
7 a property line provided that each is on its own property and all height regulations are
8 followed. There are no provisions as to which side the fence must face.

9 8. No electrically charged fences shall be erected in the City of Saint Louis.

10 9. No fence shall be erected, built or installed in a side or front yard beyond the building
11 line where there is no sidewalk and where the side or front yard abuts a public street.

12 **CHAPTER 5 IS AMENDED AS FOLLOWS:**

13 Change Section 502.1 to read as follows:

14 **502.1 Premises identification.** Approved numbers or addresses shall be provided for all
15 new buildings in such a position as to be plainly visible and legible from the street or road
16 fronting the property. These numbers shall contrast with their background. Address
17 numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four
18 inches high with a minimum stroke width of ½ inch.

19 If there is an alley, numbers shall also be placed on the alley elevation of the premises on
20 which the house, building or structure is located. If there is a garage or carport fronting on an

1 alley, house numbers shall also be placed on the alley elevation of the garage or carport.

2 **CHAPTER 6 IS AMENDED AS FOLLOWS:**

3 Change Table 602 to read as follows:

4 **TABLE 602**
5 **FIRE-RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE**
6 **SEPERATION DISTANCE^{a,d,g}**

FIRE RESISTANCE DISTANCE = X (feet)	TYPE OF CONSTRUCTION	OCCUPANCY GROUP H ^e	OCCUPANCY GROUP F-1,M,S-1 ^f	OCCUPANCY GROUP A,B,E,F-2,I,Ri,S-2,U ^h
X<3 ^b	All	3	2	1
3≤X<10	1A	3	2	1
	Others	2	1	1
10≤X<30	1A, 1B	2	1	1 ^c
	IIB, VB	1	0	0
	Others	1	1	1 ^c
X≥30	All	0	0	0

7 For SI: 1 foot = 304.8 mm.

8 a. Load bearing exterior walls shall also comply with the fire-resistance requirements of Table 601.

9 b. See Section 706.1.1 for party walls.

10 c. Open parking garages complying with Section 406 shall not be required to have a fire-resistance rating.

11 d. The fire-resistance rating of an exterior wall is determined based upon the fire separation distance of the exterior wall and the story in
12 which the wall is located.

13 e. For special requirements for Group H, see Section 415.6.

14 f. For special requirements for Group S aircraft hangers, see Section 412.3.1.

15 g. Where Table 705.8 permits nonbearing exterior walls with unlimited area of unprotected openings, the required fire-resistance rating for
16 the exterior walls is 0 hours.

17 h. For buildings containing only a Group U occupancy private garage or carport, the exterior wall shall not be required to have a fire-
18 resistance rating where the fire separation distance is 3 feet or greater.

19 i. For a Group R-3 building of Type II-B or V-B construction, the exterior wall shall not be required to have a fire-resistance rating where
20 the separation distance is 3 feet or greater.

21 Change Section 603.1.2 to read as follows:

22 **603.1.2 Piping.** The use of combustible piping materials shall be permitted in
23 accordance with the limitations of the Mechanical Code and the Plumbing Code.

24 **CHAPTER 7 IS AMENDED AS FOLLOWS:**

25 Change Table 705.8 to read as follows:

Table 705.8

MAXIMUM AREA OF EXTERIOR WALL OPENINGS

CLASSIFICATION OF OPENING	FIRE SEPARATION DISTANCE (feet)				
	0 to 3 (e)(h)	Greater than 3 to 5 (b)	Greater than 5 to 10 (d)(f)	Greater than 10 to 15 (c)(d)(f)	Greater than 15 (c)(f)
Unprotected	5%	25%	35%	60%	No Limit
Protected	15%	50%	75%	No Limit	No Limit

For SI: 1 foot = 304.8 mm.

- a. Values given are percentages of the area of the exterior wall. This table assumes that the openings are reasonably uniformly distributed. Where openings are not reasonably uniformly distributed, the portion of the wall utilized to calculate compliance with Table 704.8 shall be approved.
- b. For occupancies in Group R-3, as applicable in Section 101.2, the maximum percentage of unprotected and protected exterior wall openings shall be 25 percent.
- c. The area of openings in an open parking structure with a fire separation distance of greater than ten feet shall not be limited.
- d. For occupancies in Group H-2 or H-3, unprotected openings shall not be permitted for openings with a fire separation distance of fifteen feet or less.
- e. For requirements for fire walls for buildings with differing roof heights, see Section 705.6.1
- f. The area of unprotected and protected openings is not limited for occupancies in Group R-3, as applicable in Section 101.2, with a fire separation distance greater than five feet.
- g. Buildings whose exterior bearing wall, exterior nonbearing wall and exterior structural frame are not required to be fire-resistance rated shall be permitted to have unlimited unprotected openings.
- h. Includes accessory buildings to Group R-3 as applicable in Section 101.2.
- i. Not applicable to Group H-1, H-2 and H-3 occupancies.
- j. The area of openings in a building containing only a Group U occupancy private garage or carport with a fire separation distance of 3 feet or greater shall not be limited.
- k. For openings between S-2 parking garage and Group R-2 building, see Section 705, Exception 2.

1 Change Section 718.5 to read as follows:

2 **718.5 Combustible materials in concealed spaces in Type I or II construction.**

3 Combustible materials shall not be permitted in concealed spaces of buildings of Type I or II
4 construction.

5 **Exceptions:**

- 6 1. Combustible materials in accordance with Section 603.
- 7 2. Combustible materials exposed within plenums complying with Section
8 602 of the Mechanical Code.
- 9 3. Class A interior finish materials classified in accordance with Section

- 1 803.
- 2 4. Combustible piping within partitions or shaft enclosures installed in
- 3 accordance with the provisions of this code.
- 4 5. Combustible piping within concealed ceiling spaces installed in
- 5 accordance with the Mechanical Code and the Plumbing Code.
- 6 6. Combustible insulation and covering on pipe and tubing, installed in
- 7 concealed spaces other than plenums, complying with Section 720.7.

8 **CHAPTER 9 IS AMENDED AS FOLLOWS:**

9 Add Section 901.2.1 to read as follows:

10 **901.2.1 Non-required systems.** Any fire protection system or portion thereof not

11 required by this code shall be permitted to be furnished and installed for partial or

12 complete protection provided that such installed system shall meet all applicable

13 requirements of this code. A building permit shall be required for fire suppression

14 systems not required by this code. A building permit shall not be required for fire

15 detection systems not required by this code.

16 **Exceptions:**

- 17 1. All High Hazard Use Groups.
- 18 2. When stipulated in a decision of the Board of Building Appeals.
- 19 3. When ordered by the Building Commissioner or Fire Marshal.
- 20 4. When the building owner requests approval and an acceptance test by the Fire
- 21 Marshal's Office.

1 Change Section 903.3.5 to read as follows:

2 **903.3.5 Water supplies.** Water supplies for automatic sprinkler systems shall comply with
3 this section and the standards referred in Section 903.3.1. The potable water supply shall be
4 protected against backflow in accordance with the requirements of the Plumbing Code. For
5 connections to public waterworks systems, the water supply test used for the design of fire
6 protection systems shall be adjusted to account for seasonal and daily pressure fluctuations
7 based on information from the water supply authority and as approved by the fire code
8 official.

9 Add Sections 903.3.5.3 and 903.3.5.4 to read as follows:

10 **903.3.5.3 Water flow tests.** Water flow tests for fire sprinkler systems shall be
11 conducted between the hours of 8:00 A.M. and 4:30 P.M. Monday through Friday.

12 **903.3.5.4 Water flow safety factor.** A safety factor shall be applied to all flow tests
13 for fire sprinkler systems. A parallel curve shall be drawn to the actual flow test
14 curve that has been reduced by 10 percent of the static pressure. A sprinkler system
15 design shall not exceed the 10 percent curve.

16 Change Section 903.3.8 to read as follows:

17 **903.3.8 Limited area sprinkler systems.** Limited area sprinkler system attached to
18 domestic service lines shall conform to the following minimum requirements. One
19 sprinkler head per fire area when supplied from a one inch domestic service. Two
20 sprinkler heads per fire area when supplied from a 1 ½ inch domestic service. Four
21 sprinkler heads per fire area when supplied from a two inch domestic service. A fire area

1 shall be a confined area which may contain hazardous substances. Limited service
2 sprinklers in any one building shall be limited to a maximum of twenty sprinklers. No
3 sprinkler supply line shall be attached to a domestic service before the domestic water
4 meter.

5 A backflow preventer is not required on limited area sprinkler systems using
6 approved copper or plastic sprinkler piping.

7 Change Section 907.6.6 to read as follows:

8 **907.6.6 Monitoring.** All fire alarm and detection systems shall be monitored by listed
9 central stations in accordance with NFPA 72. A certificate or placard shall be issued by a
10 recognized listing organization that has listed the prime contractor for all newly installed
11 fire alarm systems in commercial occupancies in accordance with the latest edition of
12 NFPA 72. This regulation shall apply to all fire alarm systems that are newly installed in
13 commercial occupancies for which permits are required. Any existing fire alarm system
14 in a commercial occupancy wherein the fire alarm control panel and fire alarm system
15 components are to be replaced shall be considered newly installed for the purposes of this
16 section. Also, where there is reasonable cause due to non-compliance or faulty
17 conditions, the building official may require an existing fire alarm system meet the same
18 requirements as a newly installed system. Central station service in full compliance with
19 the latest edition of NFPA 72, Chapter 26, shall be maintained at the protected property
20 so long as the requirements for the fire alarm system exist.

21 **Exceptions:** Supervisory service is not required for:

22 1. Single- and multiple-station smoke alarms required by Section 907.2.11.

- 1 2. Smoke detectors in Group I-3 occupancies.
- 2 3. Automatic sprinkler systems in one- and two-family dwellings.

3 **CHAPTER 11 IS AMENDED AS FOLLOWS:**

4 Add Section 1103.1.1 to read as follows:

5 **1103.1.1 Unknown Use Group.** In cases where the previous Group is unknown or not
6 documented, it shall be considered a Change of Use Group, and, as such, accessibility
7 requirements shall be enforced.

8 Add Sections 1103.3 and 1103.4 to read as follows:

9 **1103.3 Waiver requirements.** In order to request a waiver from the requirements of
10 Chapter 11 Accessibility, a property owner or design professional shall submit a written
11 request to the Commissioner on the Disabled outlining the specific reasons for their request.
12 The Commissioner on the Disabled shall consult with the Building Inspector, Plan Review
13 Section, or other Building Division staff about the property. A recommendation shall be
14 made by the Commissioner on the Disabled to the Building Commissioner. The
15 Commissioner on the Disabled and Building Commissioner shall agree to grant or deny the
16 request for a waiver. The property owner or design professional is informed in writing of the
17 decision by the Commissioner on the Disabled. This decision is not subject to appeal by the
18 Board of Building Appeals. Permits for the renovated or altered building shall only be issued
19 contingent upon compliance with the letter of agreement.

20 **1103.4 Waiver criteria.** A waiver of accessibility requirements may be granted if any or all

1 of the following conditions exist:

- 2 1. It is technically infeasible to achieve accessibility as determined by the
3 Commissioner on the Disabled.
- 4 2. The type of business or work being performed at a property, i.e. physically
5 demanding or requiring a high level of strength and physical mobility, cannot be
6 reasonably performed by a person with a mobility impairment. This is determined by
7 the Commissioner on the Disabled.
- 8 3. In an existing multi-floor building with two or more floors, where the functions on
9 the second or other floors above grade are identical to all the functions on the first
10 floor, vertical accessibility can be waived if the first floor is fully accessible. This is
11 determined by the Commissioner on the Disabled on a case by case basis.

12 Add Section 1104.7 to read as follows:

13 **1104.7 Accessible routes within a site.** ICC A117.1 shall have added to it Section 507
14 as follows:

15 **507 Routes within a site.**

16 **507.1 Accessible routes to facilities not immediately adjacent to the public right-of-**
17 **way.** Each facility subject to Title II or III of the Americans with Disabilities Act (ADA)
18 (public entities, public accommodations, and commercial facilities) that is not
19 immediately adjacent to the public right-of-way shall provide an accessible route from
20 the primary accessible entrance of the facility to off-street parking areas that serve the
21 facility and to the public sidewalk that is as close as practical to any and all public transit

1 stops in the vicinity. The accessible route shall be the primary pedestrian path.

2 **Exception:** Where site conditions, grades, or other obstructions preclude a direct
3 approach, the accessible route shall not deviate unnecessarily from a direct route or
4 involve a significant amount of out-of-direction travel.

5 **507.2 Accessible routes adjacent to vehicular drives.** An accessible route located
6 immediately adjacent and parallel to a vehicular drive or parking lane shall be raised a
7 minimum of 6 inches with a vertical curb. Curb ramps and crosswalk markings shall be
8 provided where the accessible route crosses the vehicular drive.

9 An accessible route located at grade with and parallel to a vehicular drive shall be
10 separated by means of a landscaped berm, a curb, or similar barrier suitable to protect
11 pedestrians from moving vehicles and to act as edge protection.

12 **507.3 Accessible routes through parking facilities.** Where an accessible route passes
13 through a parking facility, it shall be separated from vehicular traffic in accordance with
14 Section 507.2. Perpendicular and angled parking spaces adjacent to an accessible route
15 shall have wheel stops.

16 **Exceptions:**

- 17 1. Accessible routes crossing drive aisles.
- 18 2. Accessible routes with no intervening pathway from disabled designated
19 parking spaces and access aisles and accessible passenger loading zones to
20 accessible entrances.

21 Change Section 1107.6.2.2.1 to read as follows:

1107.6.2.2.1 Type A units. In Group R-2 occupancies containing 12 or more dwelling units or sleeping units, at least 2 percent but not less than one of the units shall be a Type A unit. All Group R-2 units on a site shall be considered to determine the total number of units and the required number of Type A units. Type A units shall be dispersed among the various classes of units. Bedrooms in monasteries and convents shall be counted as sleeping units for the purpose of determining the number of units. Where the sleeping units are grouped into suites, only one sleeping unit in each suite shall count towards the number of required Type A units.

Exceptions:

1. The number of Type A units is permitted to be reduced in accordance with Section 1107.7.
2. Existing structures on a site shall not contribute to the total number of units on a site.

CHAPTER 12 IS AMENDED AS FOLLOWS:

Change Section 1205.3.3 to read as follows:

1205.3.3 Court Drainage. The bottom of every court shall be properly graded and drained to a public sewer or other approved disposal system complying with the Plumbing Code.

CHAPTER 14 IS AMENDED AS FOLLOWS:

1 Change Sections 1405.1.1 to read as follows:

2 **1405.1.1 Types I, II, III and IV construction.** On buildings of Types I, II, III
3 and IV construction, exterior wall coverings shall be permitted to be constructed
4 of combustible materials, complying with the following limitations:

- 5 1. Combustible wall coverings shall not exceed 10 percent of an exterior wall
6 surface area when the fire separation distance is 3 feet or less.
- 7 2. Combustible exterior wall coverings shall be limited to 40 feet in height above
8 grade plane.
- 9 3. Combustible exterior wall coverings constructed of fire-retardant-treated wood
10 complying with Section 2302.2 for exterior installation shall not be limited
11 in wall surface area where the fire separation distance is 3 feet or less and
12 shall be permitted up to 60 feet in height above grade plane regardless of
13 fire separation distance.,
- 14 4. Wood veneers shall comply with Section 1404.5.

15 Change Section 1405.1.1.1 to read as follows:

16 **1405.1.1.1 Fire separation 3 feet or less.** Where installation on exterior walls
17 having a fire separation distance of 3 feet or less, combustible exterior wall
18 coverings shall not exhibit sustained flaming as defined in NFPA 268.

19 **CHAPTER 15 IS AMENDED AS FOLLOWS:**

20 Change Sections 1502.1 and 1502.2 to read as follows:

1 **1502.1 General.** Design and installation of roof drainage systems shall comply with Section
2 1502 of this code and the Plumbing Code.

3 **1502.2 Secondary (emergency overflow) drains or scuppers.** Where roof drains are
4 required, secondary (emergency overflow) roof drains or scuppers shall be provided where
5 the roof perimeter construction extends above the roof in such a manner that water will be
6 entrapped if the primary drains allow buildup for any reason. The installation and sizing of
7 secondary emergency overflow drains, leaders and conductors shall comply with the
8 Plumbing Code.

9 **CHAPTER 16 IS AMENDED AS FOLLOWS:**

10 Add Section 1603.1.3.1 to read as follows:

11 **1603.1.3.1 City of Saint Louis criteria.** For purposes of this code the ground snow
12 load (P_g) shall be 20 psf.

13 Add Section 1603.1.4.1 to read as follows:

14 **1603.1.4.1 City of Saint Louis criteria.** For purposes of this code the basic wind
15 speed (3-second gust) shall be 115 mph, Exposure B.

16 Add Section 1607.16 to read as follows:

17 **1607.16 Change of occupancy.** Any existing structure heretofore approved in which there is
18 not a change of occupancy to an occupancy requiring greater floor live loads is permitted to
19 be continued in use for the originally approved live loads provided that the structure is

1 structurally safe and adequate for the proposed occupancy and the public safety is not
2 endangered thereby. If the approved live load is less than required by this Section, the areas
3 designed for the reduced live load shall be posted with the approved load. Placards shall be
4 of an approved design.

5 In every building, structure, or part thereof of Use Groups A, B, E, F, M, S where there is
6 a change of use or function and in the building official's opinion the live load may exceed the
7 existing allowable floor live load, there shall be a placard posted indicating the maximum
8 allowed floor live load. Structural calculations establishing the maximum allowed floor live
9 load shall be prepared by a Missouri licensed professional engineer. All structural
10 calculations shall bear an original embossed or wet ink seal, original ink signature, and the
11 date the structural calculations were sealed by the Missouri licensed professional engineer on
12 the first sheet or on the cover sheet of the structural calculations.

13 The maximum allowed floor live load shall be marked on placards of an approved design
14 which shall be supplied and securely affixed by the owner of the building or the owner's
15 authorized agent in a conspicuous place in each space to which they relate. Any placards
16 lost, removed, or defaced shall be replaced by the owner or the owner's agent.

17 **CHAPTER 18 IS AMENDED AS FOLLOWS:**

18 Add Section 1803.7 and 1803.7.1 to read as follows:

19 **1803.7 Hazardous excavations.** Should there be an unfenced excavation or hole or open
20 basement that endangers the sidewalk, alley, or street right-of-way, the Street Department is
21 authorized to, without prior notice, fill or abate such hazard. Should such excavation, hole,

1 or open basement not endanger the public right-of-way but in fact endanger an adjacent
2 building footing, cause an embankment problem, constitute a public safety hazard anywhere
3 on the site, or have accumulated over eighteen inches of standing water for more than seven
4 days which, in the opinion of the Health Department, upon certification, constitutes a vector-
5 control problem, the Building Commissioner shall be permitted to emergency-hire a
6 contractor to fill or partially fill that excavation, hole, or open basement to mitigate the
7 danger. All costs attending such action shall be paid by the owner of said property or
8 premises whereon the violation was permitted to exist; said costs to be collected as described
9 in Section 119.5.

10 **1803.7.1 Adjacent to excavations.** Every excavation on a site located five feet or less
11 from the street lot line shall be enclosed with a barrier not less than six feet high. Where
12 located more than five feet from the street lot line, a barrier shall be erected when
13 required by the building official. Barriers shall be of adequate strength to resist wind
14 pressure as specified in Chapter 16.

15 Add Section 1804.8 to read as follows:

16 **1804.8 Sanitary landfills.** No grading, excavation, or construction of buildings or structures
17 shall be permitted on or above land used or formerly used as a sanitary landfill or above
18 decaying deposits of organic materials unless approved by the building official. The building
19 official shall require a comprehensive report on the underlying soils prepared by a Missouri
20 licensed professional engineer. This report shall take proper note of possible formation and
21 release of combustible, explosive, or toxic vapors or gasses emanating from the underlying

1 deposits and shall contain positive construction recommendations for elimination of such
2 hazards.

3 Change Section 1805.4.3 to read as follows:

4 **1805.4.3 Drainage discharge.** The floor base and foundation perimeter drain
5 shall discharge by gravity or mechanical means into an approved drainage system
6 that complies with the Plumbing Code.

7 **Exception:** Where a site is located in a well-drained gravel or sand/gravel
8 mixture soils, a dedicated drainage system is not required.

9 Change Section 1809.5 to read as follows:

10 **1809.5 Frost protection.** Except where otherwise protected from frost, foundation walls,
11 piers, and other permanent supports of buildings and structures shall be protected from frost
12 by one or more of the following methods:

- 13 1. Extend 30 inches minimum below finished grade;
- 14 2. Constructing in accordance with ASCE 32-01; or
- 15 3. Erecting on solid rock.

16 **Exception:** Freestanding accessory structures with an area of 200 square feet or less and
17 an eave height of twelve feet or less shall not be required to be protected.

18 **CHAPTERS 27 AND 29 ARE AMENDED AS FOLLOWS:**

19 Delete Chapter 27 in its entirety. Refer to the Electrical Code.

1 Delete Chapter 29 in its entirety. Refer to the Plumbing Code.

2 **CHAPTER 31 IS AMENDED AS FOLLOWS:**

3 Change Section 3103.1.2 to read as follows:

4 **3103.1.2 Permit required.** Temporary structures that cover an area in excess of 1,000
5 square feet, including connecting areas or spaces with a common means of egress or
6 entrance which are used or intended to be used for the gathering together of ten or more
7 persons, shall not be erected, operated, or maintained for any other purpose without
8 obtaining a permit from the building official.

9 Change Section 3109 to read as follows:

10 **SECTION 3109**

11 **SWIMMING POOLS, SPAS AND HOT TUBS**

12 **3109.1 General.** Swimming pools, spas and hot tubs shall comply to the requirements of
13 this section of this code provided that these regulations shall not be applicable to any such
14 pool less than 24 inches deep or having a surface area less than 250 square feet, except where
15 such pools are permanently equipped with a water-recirculating system or involve structural
16 materials.

17 **3109.1.1 Permits and construction documents.** A swimming pool, spa or hot tub or
18 appurtenances thereto shall not be constructed, installed, enlarged, or altered until
19 construction documents have been submitted and a permit has been obtained from the

1 building official. The approval of all authorities having jurisdiction over swimming
2 pools shall be obtained before a permit can be issued.

3 **3109.1.2 Construction documents.** Construction documents shall accurately show
4 dimensions and construction of the pool and appurtenances and properly establish
5 distances to lot lines, buildings, walks, and fences; provide details of the water supply
6 system, drainage, and water disposal systems, and show all appurtenances pertaining to
7 the swimming pool. Detailed construction drawings of structures, vertical elevations,
8 and sections through the pool showing depth shall be included. All construction
9 documents for in-ground swimming pools shall be sealed, signed, and dated by a
10 Missouri licensed design professional.

11 **3109.1.3 Locations.** Swimming pools, spas or hot tubs shall not encroach on any front
12 or side yard required by this code or by the governing zoning law, unless in accordance
13 with specific rules of the City of Saint Louis. A wall of a swimming pool shall not be
14 located less than six feet from any rear or side property line or ten feet from any street
15 property line.

16 **3109.1.4 Walkways.** All public swimming pools shall have walkways not less than four
17 feet in width extending entirely around the pool. Curbs or sidewalks around any
18 swimming pool shall have a slip-resistant surface for a width of not less than one foot at
19 the edge of the pool, and shall be so arranged as to prevent return pf surface water to the
20 pool.

1 Change Section 3111.2 t read as follows:

2 **3111.2 Solar thermal systems.** Solar thermal systems shall be designed and installed in
3 accordance with Section 2606.12, the Plumbing Code, the Mechanical Code and the Fire
4 Code.

5 **CHAPTER 32 IS AMENDED AS FOLLOWS:**

6 Change Section 3202.1.1 to read as follows:

7 **3202.1.1 Structural support below grade.** Any part of a building or structure hereafter
8 erected below grade that is necessary for structural support of the building or structure
9 shall not project beyond the lot lines except that the footings of street or alley walls or
10 their supports located at least eight feet below grade shall not project more than twelve
11 inches beyond the lot line. Footings of buildings or structures shall be permitted to
12 project up to six inches into streets or alleys regardless of depth.

13 Add Section 3202.3.1.1 to read as follows:

14 **3202.3.1.1 Small awning exception.** A permit shall not be required for the erection,
15 repair, or replacement of fixed awnings less than 40 square feet in projected area or
16 retractable awnings less than 150 square feet in area unless they project over public
17 property. No such awning, however, shall be installed so as to project over property
18 not owned by the premises on which such awning is installed.

19 Change Section 3202.3.2 and add Section 3202.3.2.1 to read as follows:

20 **3202.3.2 Windows, architectural features, and mechanical equipment.** Where the

1 vertical clearance above grade to projecting windows, architectural features, or
2 mechanical equipment is more than ten feet, one inch of encroachment is permitted for
3 each additional one inch of clearance above ten feet.

4 **3202.3.2.1 Balconies.** Balconies shall be located at least ten feet above the grade
5 level.

6 Add Sections 3202.5 through 3202.6 to read as follows:

7 **3202.5 Signs.** Projecting signs, including irons and other fixtures, shall not extend more than
8 five feet into the public right-of-way.

9 **3202.5.1 Signs projecting into streets.** Projections shall not be nearer than two feet to a
10 curb and not less than ten feet above the curb or public sidewalk.

11 **3202.5.2 Signs projecting into alleys.** Projections shall not be less than sixteen feet
12 above an alley.

13 **3202.6 Special encroachments.** All other encroachments shall be considered special
14 encroachments where the legal sanction is conveyed by the Board of Public Service. These
15 encroachments shall be so constructed as to be readily removable without endangering the
16 safety of the building. Inspections shall be as set forth in Table 110.7.

17 **CHAPTER 33 IS AMENDED AS FOLLOWS:**

18 Change Section 3305.1 to read as follows:

3305.1 Facilities required. Sanitary facilities shall be provided during construction, remodeling or demolition activities in accordance with the Plumbing Code.

CHAPTER 35 IS AMENDED AS FOLLOWS:

Modify Chapter 35 by adding the following:

IAPMO

International Association of Plumbing and Mechanical Officials
5001 E. Philadelphia Street
Ontario, CA 91761-2816

UPC-09- Uniform Plumbing Code

201.3, 415.9.3, 429.2.5, 603.1.2, 718.5, 903.3.5, 1205.3.3, 1502.1, 1502.2, 1805.4.3, 3111.2, 3305.1

APPENDIX G IS AMENDED AS FOLLOWS:

Change Appendix G to read as follows:

APPENDIX G

FLOOD RESISTANT CONSTRUCTION

SECTION G101

STATUTORY AUTHORIZATION, FINDINGS OF FACT, AND PURPOSES

G101.1 Statutory authorization. The Legislature of the State of Missouri has delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety, and general welfare. Therefore, the Board of Aldermen of the City of Saint Louis ordains as follows:

1 **G101.2 Findings of fact.**

2 **G101.2 1 Flood losses resulting from periodic inundation.** The special flood hazard
3 areas of the City of Saint Louis, Missouri are subject to inundation which results in loss
4 of life and property, health and safety hazards, disruption of commerce and governmental
5 services, extraordinary public expenditures for flood protection and relief, and
6 impairment of the tax base, all of which adversely affect the public health, safety, and
7 general welfare.

8 **G101.2.2 General causes of the flood losses.** These flood losses are caused by:

- 9 1. the cumulative effect of development in any delineated floodplain causing
10 increases in flood heights and velocities; and
11 2. the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to
12 others, inadequately elevated, or otherwise unprotected from flood damages.

13 **G101.2.3. Methods used to analyze flood hazards.** The Flood Insurance Study (FIS)
14 that is the basis of this appendix uses a standard engineering method of analyzing flood
15 hazards which consist of a series of interrelated steps.

- 16 1. Selection of a base flood that is based upon engineering calculations which
17 permit a consideration of such flood factors as its expected frequency of
18 occurrence, the area inundated, and the depth of inundation. The base flood
19 selected for this appendix is representative of large floods which are
20 characteristic of what can be expected to occur on the particular streams subject
21 to this appendix. It is in the general order of a flood which could be expected to

1 have a one percent chance of occurrence in any one year as delineated on the
2 Federal Insurance Administrator's FIS, and illustrative materials dated July 17,
3 1979, as amended, and any future revisions thereto.

4 2. Calculation of water surface profiles is based on a standard hydraulic engineering
5 analysis of the capacity of the stream channel and overbank areas to convey the
6 regulatory flood.

7 3. Computation of a floodway required to convey this flood without increasing
8 flood heights more than one foot at any point.

9 4. Delineation of floodway encroachment lines within which no development is
10 permitted that would cause any increase in flood height.

11 5. Delineation of flood fringe, i.e. that area outside the floodway encroachment lines
12 but still subject to inundation by the base flood.

13 **G101.3 Statement of purpose.** It is the purpose of this appendix to promote the public
14 health, safety, and general welfare; to minimize those losses described in Article 1, Section B
15 (1); to establish or maintain the community's eligibility for participation in the National
16 Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR)
17 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) by applying the provisions of
18 this appendix to:

19 1. restrict or prohibit uses that are dangerous to health, safety, or property in times of
20 flooding or cause undue increases in flood heights or velocities;

21 2. require uses vulnerable to floods, including public facilities that serve such uses, be
22 provided with flood protection at the time of initial construction; and

3. protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

3 SECTION G102

4 **DEFINITIONS**

GIO2.1. Scope. Unless specifically defined below, words or phrases used in this appendix shall be interpreted so as to give them the same meaning they have in common usage and to give this appendix its most reasonable application.

8 **100-YEAR FLOOD.** See BASE FLOOD.

9 **ACCESSARY STRUCTURE.** Means the same as APPURTENANT STRUCTURE.

10 **ACTUARIAL RATES.** See RISK PREMIUM RATES.

11 **ADMINISTRATOR.** The Federal Insurance Administrator.

12 **AGENCY.** The Federal Emergency Management Agency (FEMA).

13 **APPEAL.** A request for review of the Floodplain Administrator's interpretation of any
14 provision of this appendix or a request for a variance.

15 **APPURTENANT STRUCTURE.** A structure that is on the same parcel of property as the
16 principle structure to be insured and the use of which is incidental to the use of the principal
17 structure.

- 1 **AREA OF SPECIAL FLOOD HAZARD.** The land in the floodplain within the City of
2 Saint Louis subject to a one percent or greater chance of flooding in any given year.
- 3 **BASE FLOOD.** The flood having a one percent chance of being equaled or exceeded in any
4 given year.
- 5 **BASEMENT.** Any area of the structure having its floor subgrade (below ground level) on
6 all sides.
- 7 **BUILDING.** See STRUCTURE.
- 8 **CHIEF EXECUTIVE OFFICER** or **CHIEF ELECTED OFFICIAL.** The Mayor of the
9 City of Saint Louis.
- 10 **COMMUNITY.** The City of Saint Louis, Missouri.
- 11 **DEVELOPMENT.** Any man-made change to improved or unimproved real estate,
12 including but not limited to buildings or other structures, levees, levee systems, mining,
13 dredging, filling, grading, paving, excavation, or drilling operations, or storage of equipment
14 or materials.
- 15 **ELEVATED BUILDING.** For insurance purposes, a non-basement building which has its
16 lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers,
17 pilings, or columns.
- 18 **ELIGIBLE COMMUNITY** or **PARTICIPATING COMMUNITY.** A community for
19 which the Administrator has authorized the sale of flood insurance under the National Flood

1 Insurance Program (NFIP).

2 **EXISTING CONSTRUCTION.** For the purposes of determining rates, structures for
3 which the “start of construction” commenced before the effective date of the FIRM or before
4 January 1, 1975, for FIRMs effective before that date. EXISTING CONSTRUCTION may
5 also be referred to as EXISTING STRUCTURES.

6 **EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured
7 home park or subdivision for which the construction of facilities for servicing the lots on
8 which the manufactured homes are to be affixed (including, at a minimum, the installation of
9 utilities, the construction of streets, and either final site grading or the pouring of concrete
10 pads) is completed before the effective date of the floodplain management regulations
11 adopted by the City of Saint Louis.

12 **EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR**
13 **SUBDIVISION.** The preparation of additional sites by the construction of facilities for
14 servicing the lots on which the manufactured homes are to be affixed (including the
15 installation of utilities, the construction of streets, and either final site grading or the pouring
16 of concrete pads).

17 **FLOOD or FLOODING.** A general and temporary condition of partial or complete
18 inundation of normally dry land areas from (a) the overflow of inland or (b) the unusual and
19 rapid accumulation or runoff of surface waters from any source.

20 **FLOOD BOUNDARY AND FLOODWAY MAP (FBFM).** An official map of a city on

1 which the Administrator has delineated both special flood hazard areas and the designated
2 regulatory floodway.

3 **FLOOD ELEVATION DETERMINATION.** A determination by the Administrator of the
4 water surface elevations of the base flood, that is, the flood level that has a one percent or
5 greater chance of occurrence in any given year.

6 **FLOOD ELEVATION STUDY.** An examination, evaluation and determination of flood
7 hazards.

8 **FLOOD FRINGE.** The area outside the floodway encroachment lines, but still subject to
9 inundation by the regulatory flood.

10 **FLOOD HAZARD BOUNDARY MAP (FHBM).** An official map of this city, issued by
11 the Administrator, where the boundaries of the flood areas having special flood hazards have
12 been designated as (unnumbered or numbered) A zones.

13 **FLOOD INSURANCE RATE MAP (FIRM).** An official map of this city on which the
14 Administrator has delineated both the special flood hazard areas and the risk premium zones
15 applicable to the city.

16 **FLOOD INSURANCE STUDY (FIS).** An examination, evaluation, and determination of
17 flood hazards and, if appropriate, corresponding water surface elevations.

18 **FLOODPLAIN or FLOOD-PRONE AREA.** Any land area susceptible to being inundated
19 by water from any source (see “flooding”).

1 **FLOODPLAIN ADMINISTRATOR.** A Missouri Licensed design professional as
2 appointed by the Building Commissioner.

3 **FLOODPLAIN MANAGEMENT.** The operation of an overall program of corrective and
4 preventive measures for reducing flood damage, including but not limited to emergency
5 preparedness plans, flood control works, and floodplain management regulations.

6 **FLOODPLAIN MANAGEMENT REGULATIONS.** Ordinances, subdivision
7 regulations, building codes, health regulations, special purpose ordinances (such as
8 floodplain and grading ordinances), and other applications of police power. The term
9 describes such state or local regulations, in any combination thereof, that provide standards
10 for the purpose of flood damage prevention and reduction.

11 **FLOODPROOFING.** Any combination of structural and nonstructural additions, changes,
12 or adjustments to structures that reduce or eliminate flood damage to real estate or improved
13 real property, water and sanitary facilities, or structures and their contents.

14 **FLOODWAY** or **REGULATORY FLOODWAY.** The channel of a river or other
15 watercourse and the adjacent land areas that must be reserved in order to discharge the base
16 flood without cumulatively increasing the water surface elevation more than one foot.

17 **FLOODWAY ENCROACHMENT LINES.** The lines marking the limits of floodways on
18 Federal, State and local floodplain maps.

19 **FREEBOARD.** Freeboard is a factor of safety usually expressed in feet above a flood level
20 for purposes of flood plain management. Freeboard tends to compensate for the many

1 unknown factors that could contribute to flood heights greater than the height calculated for a
2 selected size flood and floodway conditions, such as wave action, clogged bridge openings,
3 and the hydrological effect of urbanization on the watershed. For purposes of this code,
4 freeboard shall be at least one foot above the base flood elevation.

5 **FUNCTIONALLY DEPENDENT USE.** A use that cannot perform its intended purpose
6 unless it is located or carried out in close proximity to water. This term includes only
7 docking facilities and facilities that are necessary for the loading and unloading of cargo or
8 passengers, but does not include long-term storage or related manufacturing facilities.

9 **HIGHEST ADJACENT GRADE.** The highest natural elevation of the ground surface
10 prior to construction next to the proposed walls of a structure.

11 **HISTORIC STRUCTURE.** Any structure that is (a) listed individually in the National
12 Register of Historic Places (a listing maintained by the Department of Interior) or
13 preliminarily determined by the Secretary of the Interior as meeting the requirements for
14 individual listing on the National Register; (b) certified or preliminarily determined by the
15 Secretary of the Interior as contributing to the historical significance of a registered historic
16 district or a district preliminarily determined by the Secretary to qualify as a registered
17 historic district; (c) individually listed on a state inventory of historic places in states with
18 historic preservation programs which have been approved by the Secretary of the Interior; or
19 (d) individually listed on a local inventory of historic places in communities with historic
20 preservation programs that have been certified either (a) by an approved state program as
21 determined by the Secretary of the Interior or (b) directly by the Secretary of the Interior in

1 states without approved programs.

2 **LOWEST FLOOR.** The lowest floor of the lowest enclosed area, including basement. An
3 unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access,
4 or storage, in an area other than a basement area, is not considered a building's lowest floor
5 provided that such enclosure is not built so as to render the structure in violation of the
6 applicable floodproofing design requirements of this code.

7 **MANUFACTURED HOME.** A structure, transportable in one or more sections, that is
8 built on a permanent chassis and is designed for use with or without a permanent foundation
9 when attached to the required utilities. The term "manufactured home" does not include a
10 "recreational vehicle."

11 **MANUFACTURED HOME PARK OR SUBDIVISION.** A parcel (or contiguous parcels)
12 of land divided into two or more manufactured home lots for rent or sale.

13 **MAP.** The Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or
14 the Flood Boundary and Floodway Map (FBFM) for the City of Saint Louis, issued by the
15 Federal Emergency Management Agency (FEMA).

16 **MARKET VALUE** or **FAIR MARKET VALUE.** An estimate of what is fair, economic,
17 just, and equitable value under normal local market conditions.

18 **MEAN SEA LEVEL.** For purposes of the National Flood Insurance Program (NFIP), the
19 National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood
20 elevations shown on this city's Flood Insurance Rate Map (FIRM) are referenced.

1 **NEW CONSTRUCTION.** For the purposes of determining insurance rates, structures for
2 which the “start of construction” commenced on or after the effective date of an initial FIRM
3 or after December 31, 1974, whichever is later, and includes any subsequent improvements
4 to such structures. For floodplain management purposes, “new construction” means
5 structures for which the “start of construction” commenced on or after the effective date of
6 the floodplain management regulations adopted by the City of Saint Louis and includes any
7 subsequent improvements to such structures.

8 **NEW MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home
9 park or subdivision for which the construction of facilities for servicing the lot on which the
10 manufactured homes are to be affixed (including at a minimum, the installation of utilities,
11 the construction of streets, and either final site grading or the pouring of concrete pads) is
12 completed on or after the effective date of floodplain management regulations adopted by the
13 city.

14 **(NFIP).** The National Flood Insurance Program (NFIP).

15 **PARTICIPATING COMMUNITY** also known as an **ELIGIBLE COMMUNITY.** A
16 community in which the Administrator has authorized the sale of flood insurance.

17 **PERSON.** Any individual or group of individuals, corporation, partnership, association, or
18 any other entity, including Federal, State, and local governments and agencies.

19 **PRINCIPALLY ABOVE GROUND.** At least 51 percent of the actual cash value of the
20 structure, less land value, is above ground.

1 **RECREATIONAL VEHICLE.** A vehicle which is (a) built on a single chassis; (b) 400
2 square feet or less when measured at the largest horizontal projections; (c) designed to be
3 self-propelled or permanently towable by a light-duty truck; and (d) designed primarily not
4 for use as a permanent dwelling but as temporary living quarters for recreational, camping,
5 travel, or seasonal use.

6 **REMEDY A VIOLATION.** To bring the structure or other development into compliance
7 with Federal, State, or local floodplain management regulations; or, if this is not possible, to
8 reduce the impacts of its noncompliance.

9 **RISK PREMIUM RATES.** Those rates established by the Administrator pursuant to
10 individual city studies and investigations which are undertaken to provide flood insurance in
11 accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the
12 accepted actuarial principles. RISK PREMIUM RATES include provisions for operating
13 costs and allowances.

14 **SPECIAL FLOOD HAZARD AREA.** See AREA OF SPECIAL FLOOD HAZARD.

15 **SPECIAL HAZARD AREA.** An area having special flood hazards and shown on an
16 FHBM, FIRM, or FBFM as zones (unnumbered or numbered) A and AE.

17 **START OF CONSTRUCTION.** Includes substantial-improvements, and means the date
18 the building permit was issued, provided the actual start of construction, repair,
19 reconstruction, rehabilitation, addition placement, or other improvements were within 180
20 days of the permit date. The actual start means either the first placement of permanent

1 construction of a structure on a site, such as the pouring of slabs or footings, the installation
2 of piles, the construction of columns, any work beyond the stage of excavation, or the
3 placement of a manufactured home on a foundation. Permanent construction does not
4 include land preparation, such as clearing, grading and filling, the installation of streets or
5 walkways, excavation for a basement, footings, piers, foundations, the erection of temporary
6 forms, nor installation on the property of accessory structures such as garages or sheds not
7 occupied as dwelling units or not part of the main structure. For a substantial-improvement,
8 the actual start of construction means the first alteration of any wall, ceiling, floor, or other
9 structural part of a building whether or not that alteration affects the external dimensions of
10 the building.

11 **STATE COORDINATING AGENCY.** That agency of the state government or other
12 office designated by the governor of the state or by state statute at the request of the
13 Administrator to assist in the implementation of the National Flood Insurance Program
14 (NFIP) in that state.

15 **STRUCTURE.** For floodplain management purposes, a walled and roofed building,
16 including a gas or liquid storage tank, that is principally above ground, as well as a
17 manufactured home. **STRUCTURE** for insurance purposes, means a walled and roofed
18 building, other than a gas or liquid storage tank, that is principally above ground and affixed
19 to a permanent site, as well as a manufactured home on a permanent foundation. For the
20 latter purpose, the term includes a building while in the course of construction, alteration, or
21 repair, but does not include building materials or supplies intended for use in such

1 construction, alteration, or repair unless such materials or supplies are within an enclosed
2 building on the premises.

3 **SUBSTANTIAL-DAMAGE.** Damage of any origin sustained by a structure whereby the
4 cost of restoring the structure to pre-damaged condition would equal or exceed 50 percent of
5 the market value of the structure before the damage occurred.

6 **SUBSTANTIAL IMPROVEMENT.** Any reconstruction, rehabilitation, addition, or other
7 improvement of a structure, the cost of which equals or exceeds 50 percent of the market
8 value of the structure before “start of construction” of the improvement. This term includes
9 structures which have incurred “substantial-damage” regardless of the actual repair work
10 performed. The term does not, however, include either (a) any project for improvement of a
11 structure to correct existing violations of state or local health, sanitary, or safety code
12 specifications that have been identified by the local code enforcement official and which are
13 the minimum necessary to assure safe living conditions, or (b) any alteration of a historic
14 structure provided that the alteration will not preclude the structure’s continued designation
15 as a historic structure.

16 **VARIANCE.** A grant of relief by the city from the terms of a floodplain management
17 regulation. Flood insurance requirements remain in place for any varied use or structure and
18 cannot be varied by the city.

19 **VIOLATION.** The failure of a structure or other development to be fully compliant with the
20 city’s floodplain management regulations. A structure or other development without the

1 elevation certificate, other certifications, or other evidence of compliance required by this
2 appendix is presumed to be in violation until such time as that documentation is provided.

3 **WATER SURFACE ELEVATION.** The height in relation to the National Geodetic
4 Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various
5 magnitudes and frequencies in the floodplain.

6 **SECTION G103**

7 **GENERAL PROVISIONS**

8 **G103.1. Lands to which this appendix applies.** This appendix shall apply to all lands
9 within the jurisdiction of the City of Saint Louis identified as numbered and unnumbered A
10 zones and AE zones on the Flood Insurance Rate Map (FIRM) and Flood Boundary and
11 Floodway Map (FBFM) dated July 17, 1979 as amended, and any future revisions thereto.

12 In all areas covered by this appendix, no development shall be permitted except through the
13 issuance of a floodplain development permit, granted by the Board of Aldermen or its duly
14 designated representative under such safeguards and restrictions as the Board of Aldermen or
15 the designated representative may reasonably impose for the promotion and maintenance of
16 the health, safety, and general welfare of the inhabitants of the community and as specifically
17 noted in Section G105.

18 **G103.2. Floodplain Administrator.** A Missouri Licensed design professional as appointed
19 by the Building Commissioner is hereby designated as the Floodplain Administrator.

1 **G103.3 Compliance.** No development located within the special flood hazard areas of this
2 community shall be located, extended, converted, or structurally altered without full
3 compliance with the terms of this appendix and other applicable regulations.

4 **G103.4 Abrogation and greater restrictions.** It is not intended by this appendix to repeal,
5 abrogate, or impair any existing easements, covenants, or deed restrictions. However, where
6 this appendix imposes greater restrictions, the provisions of this appendix shall prevail. All
7 other ordinances inconsistent with this appendix are hereby repealed to the extent of the
8 inconsistency only.

9 **G103.5 Interpretation.** In their interpretation and application, the provisions of this
10 appendix shall be held to be minimum requirements, shall be liberally construed in favor of
11 the governing body, and shall not be deemed a limitation or repeal of any other powers
12 granted by State statutes.

13 **G103.6 Warning and disclaimer of liability.** The degree of flood protection required by
14 this appendix is considered reasonable for regulatory purposes and is based on engineering
15 and scientific methods of study. Larger floods may occur on rare occasions or the flood
16 heights may be increased by man-made or natural causes such as ice jams and bridge
17 openings restricted by debris. This appendix does not imply that areas outside the floodway
18 and flood fringe or land uses permitted within such areas will be free from flooding or flood
19 damage. This appendix shall not create a liability on the part of the City of Saint Louis or
20 any officer or employee thereof for any flood damages that may result from reliance on this
21 appendix or any administrative decision lawfully made hereunder.

1 **G103.7 Severability.** If any section, clause, provision, or portion of this appendix is
2 adjudged unconstitutional or invalid by a court of appropriate jurisdiction, the remainder of
3 this appendix shall not be affected thereby.

4 **G103.8 Certificate of flood plain status.** A Special Inspection of records to indicate
5 whether a property is located within the flood plain area as designated by the Official Flood
6 Plain Maps provided by FEMA (Federal Emergency Management Agency) to the City of St.
7 Louis. This letter does not imply that the referenced property will or will not be free from
8 flooding or damage. A property not in a Special Flood Hazard Area could be damaged by a
9 flood greater than that predicted on the FIRM or from a local drainage problem not shown on
10 the map. This letter does not create liability on the part of the City or any officer or
11 employee thereof for any damage that results from reliance on this determination. The fee
12 for this letter shall be as listed in Table 109.3.1.

13 **SECTION G104**

14 **ADMINISTRATION**

15 **G104.1 Floodplain development permit.** A floodplain development permit shall be
16 required for all proposed construction or other development, including the placement of
17 manufactured homes, in the areas described in Section M103.1. No person, firm,
18 corporation, or unit of government shall initiate any development or substantial improvement
19 or cause the same to be done without first obtaining a separate floodplain development
20 permit for each structure or other development.

1 **G104.2 Designation of floodplain administrator.** The Missouri licensed design
2 professional as designated by the Building Commissioner is hereby appointed to administer
3 and implement the provisions of this appendix.

4 **G104.3 Duties and responsibilities of floodplain administrator.** The duties of the
5 floodplain administrator shall include, but not be limited to:

- 6 1. Review of all applications for floodplain development permits to assure that sites are
7 reasonably safe from flooding and that the floodplain development permit
8 requirements of this appendix have been satisfied;
- 9 2. Review of all applications for floodplain development permits for proposed
10 development to assure that all necessary permits have been obtained from Federal,
11 State, or local governmental agencies from which prior approval is required by
12 Federal, State, or local law;
- 13 3. Review all subdivision proposals and other proposed new development, including
14 manufactured home parks or subdivisions, to determine whether such proposals will
15 be reasonably safe from flooding;
- 16 4. Issue floodplain development permits for all approved applications;
- 17 5. Notify adjacent communities and the Missouri State Emergency Management
18 Agency (SEMA) prior to any alteration or relocation of a watercourse, and submit
19 evidence of such notification to the Federal Emergency Management Agency
20 (FEMA);
- 21 6. Assure that the flood carrying capacity is not diminished and shall be maintained
22 within the altered or relocated portion of any watercourse;

- 1 7. Verify and maintain a record of the actual elevation (in relation to mean sea level) of
- 2 the lowest floor, including basement, of all new or substantially improved structures;
- 3 8. Verify and maintain a record of the actual elevation (in relation to mean sea level)
- 4 that the new or substantially improved non-residential structures have been
- 5 floodproofed; and
- 6 9. When floodproofing techniques are utilized for a particular non-residential structure,
- 7 the floodplain administrator shall require certification from a Missouri licensed
- 8 design professional.

9 **G104.4 Application for floodplain development permit.** To obtain a floodplain
10 development permit, the applicant shall first file an application in writing on a form
11 furnished for that purpose. Every floodplain development permit application shall:

- 12 1. Describe the land on which the proposed work is to be done by lot, block, and tract,
- 13 house and street address, or similar description that will readily identify and
- 14 specifically locate the proposed structure or work;
- 15 2. Identify and describe the work to be covered by the floodplain development permit;
- 16 3. Indicate the use or occupancy for which the proposed work is intended;
- 17 4. Indicate the assessed value of the structure and the fair market value of the
- 18 improvement;
- 19 5. Specify whether development is located in designated flood fringe or floodway;
- 20 6. Identify the existing base flood elevation and the elevation of the proposed
- 21 development;
- 22 7. Give such other information as reasonably may be required by the floodplain

- 1 administrator;
- 2 8. Be accompanied by plans and specifications for proposed construction; and
- 3 9. Be signed by the permittee or his authorized agent who may be required to submit
- 4 evidence to indicate such authority.

5 **SECTION G105**

6 **PROVISIONS FOR FLOOD HAZARD REDUCTION**

7 **G105.1 General standards.**

- 8 1. No permit for floodplain development shall be granted for new construction,
- 9 substantial-improvements, and other improvements, including the placement of
- 10 manufactured homes, within any numbered or unnumbered A zones and AE zones
- 11 unless the conditions of this section are satisfied.
- 12 2. All areas identified as unnumbered A zones on the FIRM are subject to inundation of
- 13 the 100 year flood; however, the base flood elevation is not provided. Development
- 14 within unnumbered A zones is subject to all provisions of this appendix. If Flood
- 15 Insurance Study data is not available, the community shall obtain, review, and
- 16 reasonably utilize any base flood elevation or floodway data currently available from
- 17 Federal, State, or other sources.
- 18 3. Until a floodway is designated, no new construction, substantial improvements, or
- 19 other development, including fill, shall be permitted within any numbered A zone or
- 20 AE zone on the FIRM, unless it is demonstrated that the cumulative effect of the

1 proposed development, when combined with all other existing and anticipated
2 development, will not increase the water surface elevation of the base flood more
3 than one foot at any point within the community.

4 4. All new construction, subdivision proposals, substantial-improvements, prefabricated
5 structures, placement of manufactured homes, and other developments shall require:

6 A. design or adequate anchorage to prevent flotation, collapse, or lateral movement
7 of the structure resulting from hydrodynamic and hydrostatic loads, including
8 the effects of buoyancy;

9 B. construction with materials resistant to flood damage;

10 C. utilization of methods and practices that minimize flood damages;

11 D. all electrical, heating, ventilation, plumbing, air-conditioning equipment, and
12 other service facilities be designed or located so as to prevent water from
13 entering or accumulating within the components during conditions of flooding;

14 E. new or replacement water supply systems or sanitary sewage systems be designed
15 to minimize or eliminate infiltration of flood waters into the systems and
16 discharges from the systems into flood waters, and on-site waste disposal
17 systems be located so as to avoid impairment or contamination; and

18 F. subdivision proposals and other proposed new development, including
19 manufactured home parks or subdivisions, located within special flood hazard
20 areas are required to assure that:

21 I. all such proposals are consistent with the need to minimize flood damage;

22 II. all public utilities and facilities, such as sewer, gas, electrical, and water

1 systems are located and constructed to minimize or eliminate flood
2 damage;

3 III. adequate drainage is provided so as to reduce exposure to flood hazards;
4 and

5 IV. all proposals for development, including proposals for manufactured
6 home parks and subdivisions, of five acres or 50 lots, whichever is
7 lesser, include within such proposals base flood elevation data.

8 5. Storage, material, and equipment

9 A. The storage or processing of materials within the special flood hazard area that
10 are in time of flooding buoyant, flammable, explosive, or could be injurious to
11 human, animal, or plant life is prohibited.

12 B. Storage of other material or equipment may be allowed if not subject to major
13 damage by floods, if firmly anchored to prevent flotation, or if readily
14 removable from the area within the time available after a flood warning.

15 6. Accessory Structures. Structures used solely for parking and limited storage
16 purposes, not attached to any other structure on the site, of limited investment value,
17 and not larger than 400 square feet, may be constructed at-grade and wet-
18 floodproofed provided there is no human habitation or occupancy of the structure; the
19 structure is of single-wall design; a variance has been granted from the standard
20 floodplain management requirements of this appendix; and a floodplain development
21 permit has been issued.

22 **G105.2 Specific standards.** In all areas identified as numbered and unnumbered A zones

1 and AE zones where base flood elevation data have been provided as set forth in Section
2 G105.1, the following provisions are required:

3 1. **Residential Construction.** New construction or substantial improvement of any
4 residential structures, including manufactured homes, shall have the lowest floor,
5 including basement, elevated to or above one foot above base flood elevation.

6 2. **Non-Residential Construction.** New construction or substantial improvement of
7 any commercial, industrial, or other non-residential structures, including
8 manufactured homes, shall have the lowest floor, including basement, elevated to or
9 above one foot above the base flood elevation or, together with attendant utility and
10 sanitary facilities, be floodproofed so that below the base flood elevation the structure
11 is watertight with walls substantially impermeable to the passage of water and with
12 structural components having the capability of resisting hydrostatic and
13 hydrodynamic loads and effects of buoyancy. A registered professional engineer or
14 architect shall certify that the standards of this subsection are satisfied. Such
15 certification shall be provided to the Floodplain Administrator as set forth in Section
16 G104.3(9).

17 3. Require, for all new construction and substantial improvements, that fully enclosed
18 areas below lowest floor used solely for parking of vehicles, building access, or
19 storage in an area other than a basement and that are subject to flooding shall be
20 designed to automatically equalize hydrostatic flood forces on exterior walls by
21 allowing for the entry and exit of floodwaters. Designs for meeting this requirement
22 must either be certified by a registered professional engineer or architect or meet or

1 exceed the following minimum criteria:

2 A. A minimum of two openings having a total net area of not less than one square
3 inch for every square foot of enclosed area subject to flooding shall be
4 provided; and

5 B. the bottom of all openings shall be no higher than one foot above grade.

6 Openings may be equipped with screens, louvers, valves, or other coverings or
7 devices provided that they permit the automatic entry and exit of floodwaters.

8 **G105.3 Manufactured homes.**

9 1. All manufactured homes to be placed within all unnumbered and numbered A zones
10 and AE zones on the community's FIRM shall be required to be installed using
11 methods and practices that minimize flood damage. For the purposes of this
12 requirement, manufactured homes must be elevated and anchored to resist flotation,
13 collapse, or lateral movement. Methods of anchoring may include, but are not
14 limited to, use of over-the-top or frame ties to ground anchors.

15 2. Require manufactured homes that are placed or substantially improved within
16 unnumbered or numbered A zones and AE zones on the community's FIRM on sites:

17 A. outside of manufactured home park or subdivision;

18 B. in a new manufactured home park or subdivision;

19 C. in an expansion to an existing manufactured home park or subdivision; or

20 D. in an existing manufactured home park or subdivision on which a manufactured
21 home has incurred substantial-damage as the result of a flood, be elevated on a
22 permanent foundation such that the lowest floor of the manufactured home is

1 elevated to or above one foot above the base flood elevation and be securely
2 attached to an adequately anchored foundation system to resist flotation,
3 collapse, and lateral movement.

- 4 3. Require that manufactured homes to be placed or substantially improved on sites in
5 an existing manufactured home park or subdivision within all unnumbered and
6 numbered A zones and AE zones on the community's FIRM that are not subject to
7 the provisions of Section G105.3(2) of this appendix be elevated so that either:
- 8 A. the lowest floor of the manufactured home is at or above one foot above the base
9 flood level; or
- 10 B. the manufactured home chassis is supported by reinforced piers or other
11 foundation elements of at least equivalent strength that are no less than 36
12 inches in height above grade and be securely attached to an adequately
13 anchored foundation system to resist flotation, collapse, and lateral movement.

14 **G105.4 Floodway.** Located within areas of special flood hazard established in Section
15 G103.1 are areas designated as floodways. Since the floodway is an extremely hazardous
16 area due to the velocity of flood waters that carry debris and potential projectiles, the
17 following provisions shall apply:

- 18 1. The community shall select and adopt a regulatory floodway based on the principle
19 that the area chosen for the regulatory floodway must be designed to carry the waters
20 of the base flood without increasing the water surface elevation of that flood more
21 than one foot at any point.
- 22 2. The community shall prohibit any encroachments, including fill, new construction,

1 substantial- improvements, and other development within the adopted regulatory
2 floodway unless it has been demonstrated through hydrologic and hydraulic analyses
3 performed in accordance with standard engineering practice that the proposed
4 encroachment would not result in any increase in flood levels within the community
5 during the occurrence of the base flood discharge.

6 3. If Section G105.4(2) is satisfied, all new construction and substantial-improvements
7 shall comply with all applicable flood hazard reduction provisions of Section G105.

8 4. In unnumbered A zones, the community shall obtain, review, and reasonably utilize
9 any base flood elevation or floodway data currently available from Federal, State, or
10 other sources as set forth in Section G105.1(2).

11 **G105.5 Recreational vehicles.** Require that recreational vehicles placed on sites within all
12 unnumbered and numbered A zones and AE zones on the community's FIRM either:

- 13 1. be on the site for fewer than 180 consecutive days, or
14 2. be fully licensed and ready for highway use; or
15 3. meet the permitting, elevation, and the anchoring requirements for manufactured
16 homes of this appendix.

17 A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is
18 attached to the site only by quick-disconnect type utilities and security devices, and has no
19 permanently attached additions.

20 **SECTION G106**

1 **FLOODPLAIN MANAGEMENT VARIANCE PROCEDURES**

2 **G106.1 Establishment of appeal board.** The Board of Building Appeals as established by
3 City of Saint Louis shall hear and decide appeals and requests for variances from the
4 floodplain management requirements of this appendix.

5 **G106.2 Responsibility of appeal board.** Where an application for a floodplain
6 development permit or request for a variance from the floodplain management regulations is
7 denied by the floodplain administrator, the applicant may apply for such floodplain
8 development permit or variance directly to the Appeal Board, as defined in Section G106.1.

9 The Board of Building Appeals shall hear and decide appeals when it is alleged that there
10 is an error in any requirement, decision, or determination made by the floodplain
11 administrator in the enforcement or administration of this appendix.

12 **G106.3 Further appeals.** Any person aggrieved by the decision of the Board of Building
13 Appeals may appeal such decision to the Circuit Court as provided in state statute.

14 **G106.4 Floodplain management variance criteria.** In passing upon such applications for
15 variances, the Board of Building Appeals shall consider all technical data and evaluations, all
16 relevant factors, standards specified in other sections of this appendix, and the following
17 criteria:

- 18 1. The danger to life and property due to flood damage;
- 19 2. The danger that materials may be swept onto other lands to the injury of others;
- 20 3. The susceptibility of the proposed facility and its contents to flood damage and the

- 1 effect of such damage on the individual owner;
- 2 4. The importance of the services provided by the proposed facility to the city;
- 3 5. The necessity to the facility of a waterfront location, where applicable;
- 4 6. The availability of alternative locations, not subject to flood damage, for the
- 5 proposed use;
- 6 7. The compatibility of the proposed use with existing and anticipated development;
- 7 8. The relationship of the proposed use to the comprehensive plan and floodplain
- 8 management program for that area;
- 9 9. The safety of access to the property in times of flood for ordinary and emergency
- 10 vehicles;
- 11 10. The expected heights, velocity, duration, rate of rise and sediment transport of the
- 12 flood waters, if applicable, expected at the site; and,
- 13 11. The costs of providing governmental services during and after flood conditions,
- 14 including maintenance and repair of public utilities and facilities such as sewer, gas,
- 15 electrical, and water systems; streets; and bridges.

16 **G106.5 Conditions for approving floodplain management variances.**

- 17 1. Generally, variances may be issued for new construction and substantial-
- 18 improvements to be erected on a lot of ½ acre or less in size contiguous to and
- 19 surrounded by lots with existing structures constructed below the base flood level,
- 20 providing items 2 through 6 below have been fully considered. As the lot size
- 21 increases beyond the ½ acre, the technical justification required for issuing the
- 22 variance increases.

- 1 2. Variances may be issued for the reconstruction, rehabilitation, or restoration of
2 structures listed on the National Register of Historic Places, the State Inventory of
3 Historic Places, or local inventory of historic places upon determination provided the
4 proposed activity will not preclude the structure's continued historic designation.
- 5 3. Variances shall not be issued within any designated floodway if any increase in flood
6 levels during the base flood discharge would result.
- 7 4. Variances shall only be issued upon a determination that the variance is the minimum
8 necessary, considering the flood hazard, to afford relief.
- 9 5. Variances shall only be issued upon (a) a showing of good and sufficient cause, (b) a
10 determination that failure to grant the variance would result in exceptional hardship
11 to the applicant, and (c) a determination that the granting of a variance will not result
12 in increased flood heights, additional threats to public safety, extraordinary public
13 expense, create nuisances, cause fraud on or victimization of the public, or conflict
14 with existing local laws or appendices.
- 15 6. The City of Saint Louis shall notify the applicant in writing over the signature of a
16 city official that (a) the issuance of a variance to construct a structure below base
17 flood level will result in increased premium rates for flood insurance up to amounts
18 as high as \$25 for \$100 of insurance coverage and (b) such construction below the
19 base flood level increases risks to life and property. Such notification shall be
20 maintained with the record of all variance actions as required by this appendix.

21 **G106.6. Conditions for approving variances for accessory structures.** Any variance
22 granted for an accessory structure shall be decided individually based on a case by case

1 analysis of the building's unique circumstances. Variances granted shall meet the following
2 conditions as well as those criteria and conditions set forth in Sections G106.4 and G106.5 of
3 this appendix.

4 In order to minimize flood damages during the 100 year flood and the threat to public
5 health and safety, the following conditions shall be included for any variance issued for
6 accessory structures that are constructed at-grade and wet-floodproofed.

7 1. Use of the accessory structures must be solely for parking and limited storage
8 purposes in zone A only as identified on the city's Flood Insurance Rate Map
9 (FIRM).

10 2. For any new or substantially damaged accessory structures, the exterior and interior
11 building components and elements (i.e., foundation, wall framing, exterior and
12 interior finishes, flooring, etc.) below the base flood elevation must be built with
13 flood-resistant materials in accordance with Section G105.1(4.2) of this appendix.

14 3. The accessory structures must be adequately anchored to prevent flotation, collapse,
15 or lateral movement of the structure in accordance with Section G105.1 (4.1) of this
16 appendix. All of the building's structural components must be capable of resisting
17 specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and
18 debris impact forces.

19 4. Any mechanical, electrical, or other utility equipment must be located above the base
20 flood elevation or floodproofed so that they are contained within a watertight,
21 floodproofed enclosure that is capable of resisting damage during flood conditions in
22 accordance with Section G105.1 (4.4).

- 1 5. The accessory structures must meet all National Flood Insurance Program (NFIP)
2 opening requirements. The NFIP requires that enclosure or foundation walls subject
3 to the 100 year flood contain openings that will permit the automatic entry and exit of
4 flood waters in accordance with Section G105.2 (1.3).
- 5 6. The accessory structures must comply with the floodplain management floodway
6 encroachment provisions of Section G105.4. No variances may be issued for
7 accessory structures within any designated floodway if any increase in flood levels
8 would result during the 100 year flood.
- 9 7. Equipment, machinery, or other contents must be protected from any flood damage.
- 10 8. No disaster relief assistance under any program administered by any Federal agency
11 shall be paid for any repair or restoration costs of the accessory structures.
- 12 9. The city shall notify the applicant in writing over the signature of a city official that
13 (a) the issuance of a variance to construct a structure below base flood level will
14 result in increased premium rates for flood insurance up to amounts as high as \$25
15 for \$100 of insurance coverage and (b) such construction below the base flood level
16 increases risks to life and property. Such notification shall be maintained with the
17 record of all variance actions as required by this appendix.
- 18 10. Wet-floodproofing construction techniques must be reviewed and approved by the
19 city and registered professional engineer or architect prior to the issuance of any
20 floodplain development permit for construction.

21

SECTION G107

1

PENALTIES FOR VIOLATION

2

G107.1 Scope. Violation of the provisions of this appendix or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with granting of variances) shall constitute a misdemeanor. Any person who violates this appendix or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Saint Louis or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

3

4

5

6

7

8

9

10

SECTION G108

11

AMENDMENTS

12

G108.1 Scope. The regulations, restrictions, and boundaries set forth in this appendix may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto at which parties of interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City of Saint Louis. At least twenty days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Region VII office of the Federal Emergency Management Agency (FEMA). The regulations of this appendix are in

13

14

15

16

17

18

19

20

1 compliance with the National Flood Insurance Program (NFIP) regulations.

2 The degree of flood protection required by this appendix is considered reasonable for
3 regulatory purposes and is based on engineering and scientific methods of study. Larger
4 floods may occur on rare occasions or the flood heights may be increased by man-made or
5 natural causes such as ice jams and bridge openings restricted by debris. This appendix does
6 not imply that areas outside the floodway and flood fringe or land uses permitted within such
7 areas will be free from flooding or flood damage. This appendix shall not create a liability
8 on the part of the City of Saint Louis or any officer or employee thereof for any flood
9 damages that may result from reliance on this appendix or any administrative decision
10 lawfully made thereunder.

11 **APPENDIX H IS AMENDED AS FOLLOWS:**

12 Change Section H101.2 to read as follows:

13 **H101.2 New signs.** A new sign shall not hereafter be placed, erected, constructed, altered, or
14 maintained except as provided herein and until a permit has been issued by the building
15 official. All signs controlled and regulated by the Zoning Ordinance of the City of Saint
16 Louis or this code shall require building permits.

17 **Exceptions:**

- 18 1. Ground-mounted political or campaign signs, 32 square feet or less in area,
19 erected on any private property no earlier than 60 days prior to the primary and
20 removed within 30 days after the general election. Violation of this exception

1 will result in a seven day citation letter directed to the owner(s) of the property.

2 2. Temporary signs announcing the sale of property.

3 3. The changing of moveable parts of an approved sign that is designed for such
4 changes or the repainting or repositioning of display matter shall not be deemed
5 an alteration.

6

7 Add Sections H101.3 through H101.5 to read as follows:

8 **H101.3 Permit required.** No person shall erect, construct, or maintain any sign described in
9 this chapter until a permit for said sign has been issued by the building official. An
10 application for said permit shall be filed with the building official accompanied by
11 construction documents and specifications showing dimensions, materials, and details of the
12 proposed sign. Until all the provisions of this chapter relating to such sign have been
13 complied with and the prescribed fee for such permit has been paid to the building official, a
14 permit shall not be issued.

15 **H101.3.1 Permit fees.** Permit fees for all signs shall be charged at the rate listed in
16 Table 109.3.3.

17 **H101.4 Additional application information.** All additional application information as
18 required to evaluate the sign's conformance with the Zoning Ordinance of the City of Saint
19 Louis shall be provided.

20 **H101.5 Removal.** The building official is authorized to order the removal of any sign that is

1 not maintained in accordance with the provisions of this code. The removal of any sign,
2 including billboards, shall not require a demolition permit but shall require a building permit
3 to alter the sign by removal and shall not be subject to review by the Cultural Resource
4 Office.

5 Change Section H114.1 to read as follows:

6 **H114.1 In street or sidewalk area.** Portable signs shall not be located on public streets or
7 sidewalk areas. Enforcement of this shall be by the Street Department.

8 **SECTION FOUR. PENALTY CLAUSE.** Any person who shall violate a
9 provision of this code or shall fail to comply with any of the requirements thereof, or who
10 shall erect, construct, alter, extend, repair, remove, demolish, use, or occupy any building,
11 structure, premises, or equipment regulated by this code in violation of an approved
12 construction document or directive of the building official or the Board of Building Appeals,
13 or of a permit or certificate issued under the provisions of this code, and shall, upon
14 conviction thereof, be punished by a fine of not more than \$500, or by imprisonment not
15 exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues
16 shall constitute a separate and distinct offense.

1

2 **SECTION FIVE. SEVERABILITY.** If a section, subsection, sentence, clause,
3 or phrase of this code is for any reason held to be unconstitutional, such decision shall not
4 affect the validity of the remaining portions of this code.

5

6 **SECTION SIX. SAVINGS CLAUSE.** That nothing in this Ordinance or in the
7 Building Code hereby adopted shall be construed to affect any suit or proceeding impending
8 in any court, or any rights acquired, or liability incurred, or any cause or causes of action
9 acquired or existing under any act or ordinance hereby repealed as cited in Section Two of
10 this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired,
11 or affected by this ordinance.

12

13 **SECTION SEVEN. EMERGENCY CLAUSE.** This being an ordinance
14 necessary for the immediate preservation of the public safety, it is hereby declared to be an
15 emergency measure and shall become effective immediately upon its approval by the Mayor.

16

17 **SECTION EIGHT. CODIFIED.** It is the intent of the Board of Aldermen that
18 Sections Two, Three, and Four of this ordinance be codified in the Revised Code of the City
19 of Saint Louis.